

OFFICERS MAY GO AS PRISONERS

TOKIO, January 4.—The Emperor of Russia has cabled to General Stoessel saying that the giving of their parole or the alternative of imprisonment is optional with the officers. **TOKIO, January 4.**—The Japanese captured 25,000 prisoners at Port Arthur. The total number of inhabitants is 35,000, of whom 20,000 are sick.

RUSSIANS MARCH OUT AND JAPS MARCH IN. PATRONAGE IN THE ASSEMBLY.

Mikado's Troops Have Full Possession of the Fortress—How Surrender Was Made.

HEADQUARTERS OF THE JAPANESE THIRD ARMY AT PORT ARTHUR, January 3, via Che Foo, January 4, 8 p. m. (censored)—The flag of the Rising Sun floats to-night over the captured citadel of Port Arthur.

When the news of the surrender of the fortress reached the soldiers yesterday, leaping from mouth to mouth, the Japanese drew close to their late enemies and fraternized freely with them. With nightfall came great bonfires, rising in the Japanese camp like a blazing halo, while great choruses of "Banzais" echoed through the hills.

TERMS OF SURRENDER.
The entire garrison and all non-combatants will march out of the city January 5 to the village until they can be transferred to Dainy and from there to Japan.

The conferences between the Russian and Japanese commissioners at which the terms of surrender were arranged took place at the village of Shuishihyung at 1 o'clock yesterday (Monday) afternoon and lasted until 8 o'clock tonight (Tuesday). The Russian commissioners were Chief of Staff Reiss, Surgeon-General Ballaschoff, Colonel Vostock and two other staff officers with two interpreters. The Japanese commissioners were Major-General Ijichi, Chief of Staff; Major Yamakoka, Dr. Ariga and two others, staff officers, with two interpreters.

LONG SIEGE.
Thus has Japan won the great Russian stronghold in the Far East after a five months' siege, in which she lost over 50,000 soldiers, who were put out of action in the most sanguinary and desperate fighting the world has ever seen.

Though the intimation that the Russians were willing to surrender was known to the officers of the Japanese staff on the afternoon of January 1, it was not generally known to the 100,000 of the investing army until yesterday (Monday).

The surrender of the fortress at the present time came as a surprise even to the Japanese, as the desperate determination and courage of the Russians even in the last assaults, indicated that the struggle would be one to the bitter end.

It was well known to the Japanese that the destruction of the forts guard-

ing the main defenses of the western half of the eastern fortified ridge made the investment of the city on the east only a matter of a short time, despite the strongest efforts of the defenders, and also ensured the segregation of the forts further east upon the ridge.

STEADY ADVANCE.
The advance of the besiegers on the west flank since the capture of 203 Meter Hill, up to the valley from the shores of Pigeon bay to the outskirts of the new town, enabled them, with the capture of the Talyankow fort, to close in on the city from the west and to segregate the Chair Hill forts so that they could be dealt with in detail.

It was evident, therefore, that despite the most determined opposition, the investing army could in a week or ten days closely invest and dominate Port Arthur city, the center of the whole system of defense, so that the powerful forts both east and west would be isolated.

This fact, however, did not warrant the assumption that the resisting power of the position was at an end. Though the Japanese hoped for the surrender of the fortress, they expected that another month would be necessary to reduce it because of the evident intention of the garrison to fight to the bitter end.

HOPELESS POSITION.
It has been evident since the capture of 203 Meter Hill, the destruction of the fleet and the awful manner in which the forts guarding the western half of the eastern fortified range had been captured by means of the explosion of dynamite mines, that the fighting ardor of the garrison was dampened and the hopelessness of the Russian position had robbed them of their dogged determination to resist every inch of the advance of the besiegers.

This hopelessness was evidenced in the weakness of the west flank since the fleet was destroyed.

The tremendous effect of the explosions which wrecked Shungshu mountain fort, the last of the western half of the main defenses of the eastern fortified ridge, in which half of the defenders were killed and the remainder entombed or made prisoners, completed

Names of Those Who Will Draw Pay From the State.

SACRAMENTO, January 4.—Chairman Transue tendered the report this morning from the committee on attaches of the Assembly and the following were allowed patronage as designated by the Assemblymen:

Assistants to chief clerk, at \$6—Charles Thompson, Ed Hinkle, C. A. Kyle.
Minute clerks at \$6—J. Step-pacher, J. Wright.

Assistants at \$5—Ed Gill, William Harry, B. S. Wilson, J. A. Moynihan, Ed O'Brien.

File clerk at \$6—W. C. Guirey.
Chaplain, \$4—Rev. G. C. King.
History clerk, \$6—Percy Will.
Journal Clerk \$6—R. L. Dempsey.

Assistants, \$5—Louie Howell, R. Fuller, J. McCarthy, Frank E. Redell, J. R. Arellanes, V. Dolan.
Engraving and enrolling clerk at \$6—J. J. Murphy.

Assistant at \$6—T. J. Walker.

Assistants at \$5—J. M. Jones, J. H. Long, S. D. Barcey, J. A. Martin, B. Lagrave, Jesse Seiler, W. B. Stewart, A. Price, Don R. Dunbar, George Eustis, Mrs. F. P. Mouser.

Bookkeeper to sergeant-at-arms, \$5—C. Haub.

Assistants at \$5—B. Cohn, E. B. Carr, T. M. Gilbert, J. Entouge, A. Machen, J. A. Kirk, B. N. Harford, George Whitehead, James J. Beatty.

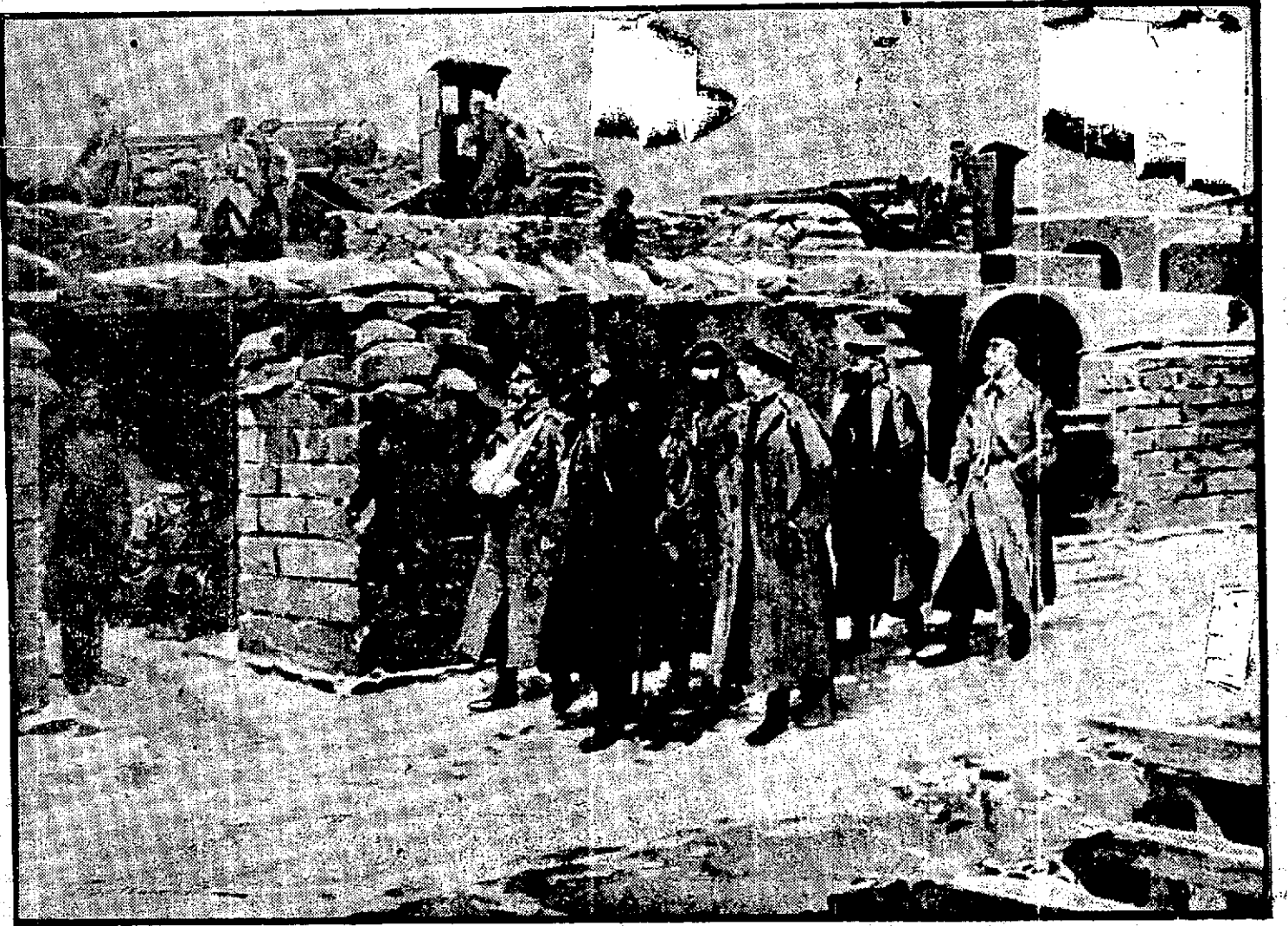
Stenographers at \$5—Miss Adeline Stanton, Miss P. Gaylor, Miss Ethel Thomas, G. P. Mouser, Cornelia O'Brien, Mrs. L. Sherbourne, E. E. Geberding, Mabel E. Waste, Miss O. Wagner, Miss Ollie Smith.

Bill clerks at \$4—S. G. Tyler, Ed Haight.

Bill Filers at \$4—C. W. Curtis, Charles Oliver, F. L. Whitney, A. Brannon, W. Haynes, Thomas Dolan, Henry Nelson, H. A. Russell, John F. Murray.

Committee clerks at \$4—Miss E. Barnett, W. F. James, C. W. Bates, E. H. Bearslee, L. A. Bills, J. Bailey, John Kersey, Joseph Coughlin, B. J. Blaisdell, Edna Garvin, E. S. Havens, M. E. Dorsey, John B. Best, C. A. Gutte, Thomas A. Green, Edward Mero, F. N. Whittaker, Miss B. McGee, Harry Wissa, L. King, John Marumey, P. J. Kennedy, Ralph McCormish, George P. Wennis, J. F. Carrere, Reno Young, M. R. Fuller, John Johnson, S. C. Balch, Henry King, H. Baker, W. Williams, R. Blair, E. W. Lawrence, H. Z. Herzog, C. W. Talbot, Miss May Brown, Miss Ada Rehan, Miss Linda Spurlock, Maurice Beahn.

Sergeants-at-arms, to commit-



THE INTERIOR OF THE ITZESHAN FORT AT PORT ARTHUR NOW IN THE HANDS OF THE JAPANESE.

RAID ON TREASURY

Assemblymen Adopt the Report of Mileage Committee.

SACRAMENTO, January 4.—The Assembly was about to adjourn this morning when Stanton of Los Angeles arose and said with considerable gravity: "I hope the House will not adjourn now. A matter of vast importance is about to come before us. The committee on mileage is about ready to report and that means a good deal to some of us who are 400 or 500 miles away from home and it will give us our first chance to raid the treasury."

ON THE FLOOR.

SACRAMENTO, January 4.—When the Assembly convened at 11:30 o'clock a number of ex-Assemblymen were allowed the privileges of the floor. Arthur G. Fisk, Speaker of the last session; Thomas F. Finn of San Francisco; H. W. Brown of San Mateo; Marshall Black of Paso Alto; A. M. Mahoney and Leo Sussman of San Francisco; J. V. Snyder of Grass Valley; L. A. Dyvoto, Fred Stanton, A. C. McLaughlin, Ben F. Howard, Colonel W. S. Killingsworth, W. R. Gay, E. A. Baxter, J. I. McConnell, John G. Covert and F. E. Dunlap of San Joaquin, were among those present.

Assemblyman Espey was excused for a day on account of illness. A resolution was adopted lamenting the death of the late Walter S. Melick, formerly secretary to the State Board of Examiners.

Speaker Prescott announced that he would name his committees tomorrow morning.

OFFICIALS INDICTED.

Mayor and Chief of Police Failed to Enforce the Law.

PORTLAND, Ore., Jan. 4.—The Multnomah County Grand Jury, which has been investigating alleged irregularities in the municipal government of this city, to-day returned an indictment against Mayor George H. Williams. Judge Williams is one of the most prominent men in Oregon.
Chief of Police Hunt and former City Engineer Elliott also were indicted.
Mayor Williams is charged with failure to suppress gambling in this city.
Elliott is charged with corruption in connection with the concentration of a city sewer.
Hunt is also charged with failure to suppress gambling.
Contractors E. W. Riner and R. M. Riner also are indicted in connection with the construction of the city sewer.

PRESENT BRIEF IN BEEF TRUST CASE

WASHINGTON, Jan. 4.—The brief of the government in the case of Swift & Co. vs. the United States, known as the Beef Trust case, prepared by Attorney General Moody, was presented to the Supreme Court of the United States to-day. The brief is devoted principally to an argument to show that the packers are engaged in a conspiracy to monopolize interstate commerce in fresh meats.

SENATE ADJOURNS.
SACRAMENTO, January 4.—The Senate adjourned until 3 o'clock for the purpose of giving the committee on attaches the opportunity to work on its report.

NOGI'S REPORT.

Twenty-five Thousand Soldiers and Sailors in Fortress.

TOKIO, January 4 (evening).—The following report was received from General Nogi at 3 o'clock this afternoon: "Order is maintained at Port Arthur by the officers. The people are quiet. "Our minute investigation was not finished until Tuesday night. "The total number of inhabitants is about 35,000, of whom 25,000 are soldiers or sailors. The total number of sick and wounded is 26,000. "Common provisions and bread are plentiful, but there is a scarcity of meat and vegetables. "There are no medical supplies at Port Arthur. The Japanese are strenuously succoring the people. "The capitulation committees are pushing their respective works."

CANDLE CAUSES FIRE IN BERKELEY

BERKELEY, Jan. 4.—The home of G. Dacosta at Seventh street and Dwight Way was visited by fire at 1 o'clock today and damage was done to the extent of \$75. The flames started from a candle which ignited the curtains and burnt one side of the building. Owing to the prompt work of the Fire Department, what might have been a dangerous fire was prevented, for the building is a large and very old structure.

ASSEMBLY ADJOURNS.
SACRAMENTO, January 4.—An adjournment was taken by the Assembly until 11 o'clock tomorrow morning and immediately afterward the army of attaches was sworn in according to resolution.

ANXIOUS FOR BAIL

Nan Patterson Wants to Get Out of the Tombs.

NEW YORK, Jan. 4.—Nan Patterson, accused of the murder of Caesar Young was taken before Justice Greenbaum today on a writ of habeas corpus secured by her counsel, directing that the District Attorney appear to show cause why bail should not be fixed and accepted.
After hearing arguments Justice Greenbaum reserved his decision until tomorrow, instructing counsel to submit briefs in the meantime.

LITTLE BUSINESS IN SENATE.

SPECIAL ORDER ON AMENDED LAWS TO BE DISCUSSED.

SACRAMENTO, January 4.—Resolutions providing codes and other accessories for the members of the Upper House were introduced in the Senate this morning and were referred to the committee on contingent expenses. A special order for the printing of bills was postponed until tomorrow. Senator Woodward's resolution providing that all new matter in bills proposed for amendment be underlined and that all portions suggested for elimination be set in brackets, was made a special order for tomorrow.

"JUDGE US, BUT BE MERCIFUL GREAT SOVEREIGN, PARDON US."

Stoessel's Pathetic Message to the Czar Before the Surrender of Port Arthur.

ST. PETERSBURG, JANUARY 4.—GENERAL STOESSEL'S LAST DISPATCH, DATED JANUARY 1, PRIOR TO THE SURRENDER OF PORT ARTHUR, DETAILS THE JAPANESE ATTACK OF DECEMBER 31, AND CONCLUDES AS FOLLOWS:

"WE SHALL BE OBLIGED TO CAPITULATE, BUT EVERYTHING IS IN THE HANDS OF GOD. WE HAVE SUFFERED FEARFUL LOSSES.

"GREAT SOVEREIGN, PARDON US. WE HAVE DONE EVERYTHING HUMANLY POSSIBLE. JUDGE US, BUT BE MERCIFUL. NEARLY ELEVEN MONTHS OF UNINTERRUPTED STRUGGLE HAVE EXHAUSTED US. ONLY ONE-QUARTER OF THE GARRISON IS ALIVE, AND OF THIS NUMBER THE MAJORITY ARE SICK, AND BEING OBLIGED TO ACT ON THE DEFENSIVE WITHOUT EVEN SHORT INTERVALS FOR REPOSE, ARE WORN TO SHADOWS."

PORT IS GUARDED BY JAPS.

Bottle Up Che Foo While Russia Dismantles Her Ships.

CHE FOO, Jan. 4. (Evening).—The protected cruiser Akikushima, four torpedo boat destroyers and two torpedo boats constituted today's Japanese guard off this port. The destroyers, which guarded the Russian flotilla last night, went out at the expiration of the twenty-four hours, returning immediately with others. They have been in and out of the harbor intermittently ever since.

Tonight all the Russian destroyers withdrew to the south side of the harbor, where they probably will remain until their disarmament is complete.

Japanese Consul Mizuno inspected the Russian vessels during the day and pronounced the progress made in their disarmament satisfactory.

It is said that one booty which fell into the hands of the Japanese at Port Arthur amounted only to \$8,000 tons of coal and two months' rations of rice.

OFFICERS KILLED.

Of 270 officers of the Russian navy at Port Arthur at the beginning of the war, 130 have been killed or wounded, many of them while doing duty in the forts.

ACCUSES HUSBAND OF CRUELTY.

HE, IN TURN, CHARGES HER WITH KEEPING COMPANY WITH MANY MEN.

Mary A. and John Russell of Berkeley are fighting out a divorce suit before Judge Ellsworth today. She accuses him of cruelty and he says that her acts were such as to cause him to forget himself. She says that he jumped upon her one time and tried to strike her with a stick.

He says that she ran about with every "Tom, Dick and Harry" and particularly with one McCarthy who for a time boarded at their home.

When upon the stand Mrs. Russell stated that her husband had no cause or ground for his suspicions but that he was continually accusing her of wrong doing. She stated that there were two children of which she also asks the custody. Russell will take the stand this afternoon and tell his side of the story.

Suit for divorce was begun today by Margaret P. Sinkwitz against William Sinkwitz on the ground of cruelty. They have been married for some years but she states that his actions have become such of late that she can no longer live with him.

WRONG MAN IS ARRESTED.

COMPLICATIONS RESULT BECAUSE PRISONER COULDN'T SPEAK ENGLISH.

Nikla Jugovich, a Slavonian who cannot speak the English language, and Marin Radovich, another Slavonian, who has mastered some of the intricacies of the language figure in a plot to murder Jugovich says that it had not been for his fleetness of foot this morning he would have been dead, as Radovich leveled a gun on him.

Jugovich, as he ran, finally encountered an officer. He paused a moment to rest and Radovich came up.

Radovich, who spoke English, says, "arrest that man. He tried to kill me." Jugovich was searched but no pistol was found on him.

He was unable to tell the officers until he reached the city prison and got an interpreter, that he was the one who was to have been murdered.

A warrant was issued for Radovich.

THE TALBOT CASE

ST. LOUIS, January 4.—The duties involving upon me as presiding bishop of the church are at an end for the present in the matter of the presentment against Bishop Talbot," said Bishop Tuttle today.

"If the Board of Inquiry should find the charges set forth in the presentment sufficiently tenable to make them matters for a trial it will then be my duty to act again."

"The Board of Inquiry, which I have already appointed, will stand and will meet at the time and place indicated to consider the presentment."

BODY IDENTIFIED

COLORADO SPRINGS, January 4.—The body of the woman found dead on Cutler mountain December 17 and supposed to be that of Mrs. Bessie Bouton of Syracuse, N. Y., has been positively identified as such by a professional nurse, Mrs. Curtis of Denver, who attended Mrs. Bouton during an illness at the Albany Hotel in the latter city in June of last year. The body being examined, Mrs. Curtis pointed out two scars across the back of the second finger of the right hand, previously described by her to the officers.

Always Remember the Full Name
Laxative Bromo Quinine
Cures a Cold in One Day, Grip in 2 Days

RUSSIA'S HEROES Praised.

Czar's Newspapers Say That Now is Not the Time to Quit.

ST. PETERSBURG, January 4.—The press here contains absolutely no additional news of the war, but the papers, with one accord, praise the heroic work of the Port Arthur garrison and say its record furnishes an object lesson to Russia and Japan.

After bestowing a tribute on the defenders, the Novoe Vremya says:

"The unpreparedness of the fortress, which now stands confessed before the world, reads as a lesson on what Russia must do and how she must change her methods to achieve victory. It also shows Japan what she has undertaken, when such enormous losses are entailed in capturing even a small, empty-handed garrison driven to the last ditch. Russia has had eleven months of hard but valuable experience in war under the new conditions imposed by modern technical requirements. It has been costly training, but it will be valuable."

In an even more strongly worded article the Russ says:

"Had the Japanese been able to cut off the last train which reached Port Arthur the blockade would have found the fortress even worse prepared. Well may these few remaining heroes say: 'We have done our duty; but you, our people of St. Petersburg and of Russia, have you done all you could and should have done?'"

The Russ concludes:

"Russia cannot afford to quit during a losing fight. The time has now come for everyone to put a shoulder to the wheel and redeem our prestige in the Far East."

The paper bluntly attributes to the effect of the muzzling regime under the late Minister of the Interior Von Plehve the fact that the nation was not fully warned beforehand of the real conditions to be faced at the opening of the war, and says the press is now more fully able to point out the needs and urge the nation to activity.

One of the most serious features of Port Arthur's fall, according to the Novosti, is the effect upon the already questionable neutrality of the Chinese. Loss of prestige in the eyes of the Orientals, says the paper, is much more serious than the strategical value of the fortress.

MUST PAY FOR BOOKS.

EDNA WALLACE HOPPER WILL HAVE TO PUT UP \$13,000.

The estate of the late Josephine Dunsen, who died last year, has been sold for \$13,000 for books bought during the last years of the deceased's life. The suit was brought against Charles H. Lovell, executor of the will of Mrs. Dunsen, for \$15,570 for books sold her, but Judge Ellsworth holds that a part of this amount has not yet become due, as the delivery of the books is not yet complete.

The claim of the big Philadelphia publishing house was not allowed by Mr. Lovell, under instructions of Edna Wallace Hopper, who inherited her mother's estate, as she had not yet received the books and would rather keep the money than they would cost her. In the trial of the case, however, it was shown by Attorney Stanley Moore that these books had been printed with Mrs. Dunsen's monogram, and that it was not for this the publisher would take the books back, as they were books of special and limited editions and could not now be reprinted.

On behalf of Mr. Lovell and the estate it was charged that the cost of the books was excessive and that Mrs. Dunsen was not in a sound frame of mind, having undergone an operation just preceding her interview with Rika Osterman, the widow woman bookseller of New York City.

The acceptance of the books at the Southern Farm near San Leandro, the old Dunsen home, Judge Ellsworth holds, completed a legal delivery of the books and the sale of them.

It makes the Skin Soft.

ROSE AND CUCUMBER JELLY (CUCUMBER CREAM) beats all parts exposed to the chilling winds of outdoors. It gives the skin that soft velvety feeling so much desired by ladies. It removes at once all redness and irritation. It soothes wrinkles, destroys blackheads. It is soothing and comforting. Large bottles, 25 cents. Sold everywhere.

Some doctors become tramps because they get hungry at times.

FAIL TO FASTEN GUILT ON THEM

The preliminary hearing of Jeremiah Crowley, Sullivan and John Powers, who are alleged to have held up Wing Gee, a Chinese, at Eighth and Franklin streets, ten days ago and robbed him of \$50, was in progress before Judge Smith this morning. The evidence produced was not sufficient to warrant the holding of Sullivan and Powers, so they were dismissed.

The trial of Crowley is going on this afternoon.

If she marries for money she earns a lot more than she gets.

BOILER EXPLODES; 8 KILLED.

HUNTINGTON, West Virginia, Jan. 4.—Eight men are known to be dead and three seriously injured in a boiler explosion and fire that destroyed the Pittsburgh townboat Defender here early today. The dead:

PERRY SPENCER, Mate, Point Pleasant.

HORACE WETZEL, watchman, Pittsburgh.

JAMES SEESE, lamp trimmer, Wellsville.

BOILER EXPLODES; 8 KILLED.

Boat Destroyed--Those Escaping Flames Nearly Freeze.

THE DEFENDER, Mate, Point Pleasant.

HORACE WETZEL, watchman, Pittsburgh.

JAMES SEESE, lamp trimmer, Wellsville.

ALBERT HAMILTON, fireman, Pittsburgh.

MICHAEL STAFFORD, fireman, Pittsburgh.

THOMAS DUFFY, fireman, Pittsburgh.

GEORGE KIDD, deck hand, Cincinnati.

The Defender was returning from Cincinnati with a tow of empties. Captain James Woodward was in the pilot house at the time of the accident and with the exception of the fireman, engineer and the watchman, the remainder of the crew were asleep.

The explosion of the starboard boiler blew out the entire side of the boat and awakened the sleeping members of the crew. The survivors grabbed what clothing they could find and plunged into the icy waters of the Ohio River in an effort to escape. The night was bitter cold, the thermometer hovering about zero, and as the explosion occurred at a point some distance from any town, those who escaped were nearly frozen before they could be given shelter.

The boat caught fire immediately following the explosion and drifted down the river about 200 yards, where she sank in shallow water.

Captain Woodward says that the origin of the explosion is a complete mystery, the boilers were so far as known, in excellent condition. So far six bodies have been recovered from the wreck.

POLITICIANS WIN FIGHT.

OFFICERS OF STATE FEDERATION CAN HOLD POLITICAL JOBS.

SACRAMENTO, Cal., Jan. 4.—At this morning's session of the State Labor Federation a discussion was held on the proposed constitutional amendment that no person shall hold office who occupies a political position, whether elective or appointive. The amendment was amended so as not to affect those employed in civil service positions.

When put to a vote both propositions were lost, so officers of the State Federation may hold political jobs.

The matter of increasing the number of vice-presidents from five to nine, was referred to the committee on laws and legislation.

A constitutional amendment was offered which has for its object the withdrawing out of the present pay of \$3.50 a day for the executive officers.

LAW MAKERS ARE TOLD TO QUIT

BUDAPEST, Hungary, Jan. 4.—The King-Emperor Francis Joseph formally dissolved the Diet today in a speech from the throne dealing with the Parliamentary situation. The speaker said:

"The experiences of the recent past determined a large part of the Chamber of Deputies to place on the order of the day the question of reform of the standing orders. The conflicts arising therefrom, however, created a situation of such critical character that we can no longer hope for the re-establishment of the harmony between the King and the nation and then mutual confidence has been established conditions of undisturbed constitutional life and order."

"The law of the nation in its natural institutions and its innate political wisdom. The harmony between the King and the nation and then mutual confidence has been established conditions of undisturbed constitutional life and order."

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TALK OF PEACE IS FUTILE

Japanese Do Not See a Chance to End the War.

TOKIO, January 4. (Evening).—The weight of opinion in Japanese official circles seems to be against a belief in the early conclusion of peace, and doubt is expressed that the fall of Port Arthur will materially affect the situation.

One of the several officials who discussed the question with the correspondent of the Associated Press today voiced the sentiment of the majority when he said:

"We are confronting a situation which continues to be purely military. The present problem is created by General Kuropatkin's army and by the Russian second Pacific squadron. We are devoting all attention to them."

"We anticipate that the Russians will renew more determinedly than ever their effort to drive Field Marshal Oyama back and that they will strive to gain supremacy at sea. We are preparing to defeat both these objects."

"This situation makes talk of peace futile."

GRIP COLDS

Laxative Bromo Quinine, the world-wide Cold and Grip remedy, removes the cause and cures the full-blown attack. Look for signature of Dr. W. Grove, 25c.

"DOC," PROCTOR IS PLACED ON TRIAL

"Doctor" William Proctor and his stepson, Roy Ashberry, charged with having swindled Mrs. Emeline Tyson of \$100,000 and several diamond rings, were taken to Centerville this morning to answer to a charge of grand larceny in having taken the rings from the old lady.

The two charges were separated and upon their previous examination they were held over to answer the charge of grand larceny.

The examination of the money and points out the fact that the views of the Sacramento County Grand Jury on the bill could then be obtained.

MAY LOAN THE STATE'S MONEY

SACRAMENTO, Jan. 4.—Attorney-General Webb has rendered an opinion to Governor Pardee against the suggestion of comptroller Colgan that the money in the State Treasury be loaned to banks that are willing to pay interest and furnish bonds as security.

Webb advises that the State Treasury is not a lending institution and that the loaning of the money and points out the fact that the views of the Sacramento County Grand Jury on the bill could then be obtained.

Indigestion?

Offer All Stomach Sufferers a Full Dollar's Worth of My Remedy, Free to Try.

I can afford to offer a full dollar's worth because mine is no ordinary remedy. Ordinary remedies treat symptoms. My remedy treats the causes that produce the symptoms. Symptom treatment must be kept up forever as long as the cause is there. My treatment may be stopped as soon as the cause is removed. The cause, for this is always the end of trouble.

Stomach trouble is not really a sickness, but a symptom. It is a symptom that a certain set of nerves is suffering. Not the voluntary nerves that enable you to walk and talk and act—but the automatic stomach nerves over which you must have no control.

I have not room here to explain how these tender, tiny, nervous control, and operate the stomach. How they break down and cause indigestion. How mis-eaten foods wear them out and cause dyspepsia. How neglect may bring on kidney, heart and other troubles through sympathy. I have not room to explain how these nerves may be reached and strengthened and vitalized and made well by a remedy I spent thirty years in perfecting—now known by Druggists everywhere as Dr. Shoop's Restorative. I have room to explain how this remedy, by removing the cause, puts a certain end to indigestion, belching, heartburn, nervousness, dyspepsia, etc. All of these things are fully explained in the book I will send you when you write.

In more than a million homes my remedy is known. It has cured stomach troubles not once, but repeatedly—over and over again. Yet you may not have heard of it. Send me your name and address. So I make this offer to you, a stranger, that every possible excuse for doubt may be removed. Send me no money—make me no promise—take no risk. Simply write and ask. If you have not tried my remedy, I will send you a bottle—not a sample, but the regular standard bottle. It keeps constantly on hand to be sent to you at once, without any conditions. He will accept my order as cheerfully as though your dollar had been before him. He will send you an order at my expense absolutely how to be rid forever of all forms of stomach trouble. He will not only be rid of the trouble, but of the very cause which produced it. Write to-day.

For a free order Book 1 on Dyspepsia for a full dollar Book 2 on the Heart Book 3 on the Kidneys Book 4 for Women. Box 630, Rector, Beck & Co., Men. Wis. State where Book 6 Rheumatism. Write what you want.

Dr. Shoop's Restorative

RUSSIAN MARCH OUT AND JAPS MARCH IN.

(Continued From Page 1.)

the disorganization of the defense.

SPIRITED ASSAULT.

The subsequent spirited assault by the Japanese upon the principal line of outer forts and the hills fortified ridge immediately after the capture of Shungshu mountain fort was met with feeble opposition, and the night of January 3 saw the besiegers in possession of the upper line of the fortified ridge from East Creek mountain to the western extremity. Had the garrison fought as it had previously done, this would have at least taken many days to accomplish and would have cost many lives.

LONG CONFERENCE.

RUSSIAN MARCH OUT AND JAPS MARCH IN.

(Continued From Page 1.)

The first definite intimation of the Russian intention to surrender came at 4 o'clock in the evening of January 1, when the Russian envoys approached the Japanese line south of the village of Shungshu.

They were met by a Japanese staff officer, to whom the delivered the letter from General Stoessel to General Nogi asking to have a time for parley arranged.

As already known, in this letter, General Stoessel admits the hopelessness of further continuing the struggle and that he was prepared to surrender in order to save the lives of the remnant of the brave garrison which had fought so long and so well, provided suitable terms could be arranged. He asked for a conference to settle these terms.

Major General Iijima, with a large escort, left the Japanese headquarters at 1 o'clock Monday morning and rode to this appointed place. Shortly before 1 o'clock the Russian commissioners arrived, accompanied by a cavalry escort. The conference took place with few preliminaries and lasted until 8 o'clock at night.

PATRONAGE IN THE ASSEMBLY.

(Continued From Page 1.)

ters at \$4—D. B. Ferner, O. Scoonacher, W. W. Benchley, A. P. Brown, C. W. Mahony, J. J. Walters, Hugh Murphy, Philip Ambrose, N. Villanos, A. R. Smith, S. O. Richardson, T. J. Green, J. Carroll, A. A. Friedlander, James Strachan, R. Fullway.

Assistants to committee clerks at \$4—A. Varsberg, Miss Lena Jackson, L. Duryea, M. Mulcahy, T. C. Connelly, M. M. Miller, Mrs. S. E. Moore, Mrs. A. Newman, Walter Marino, O. G. Whiting, F. Padurrier, May Coffield.

Clerk to minority at \$6—E. Baxter.

Postmistress at \$4—Mrs. Pauline Smith.

Assistant postmistress at \$4—Miss Nieta Taylor and Miss Evelyn Brill.

Watchman, at \$4—Herbert Bryce.

Assistant watchmen at \$4—Emmett Hodges, H. C. Camp, Edward Kane.

Doorkeepers at \$3—P. O'Connell and William Richard.

Mail carriers at \$3—Wash Sena.

Gatekeepers at \$3—William Milligan, O. E. Goodell, W. Connell, James Anderson, J. J. Walsh, A. Daugherty, Joseph Blodgett.

Ladies' cloak-room attendants at \$3—Mrs. Sherman and Miss Lena Harris.

Porters at \$3—John Koford, A. S. Hall, Joseph Moore, H. W. Jones, H. W. Bennett, W. J. Simpson, James A. Churchill, I. D. Cherry, C. D. Mooney, J. J. Hansbury, Frank McMahon, Robert Nagle, William Peterson and John Palm.

Pages—Sanford Barnes, William Murphy, Ray Nichols, Lester Summerfield, Edward Curran, Eddie Fitzgerald and George Berry.

WAS CAPTURED BY JAPANESE

SAN FRANCISCO, January 4.—The British steamer Crusader arrived here to-day from Moji, Japan, with 6000 tons of curios.

On her outward voyage from Puget Sound ports to Shanghai, the Crusader was captured by a Japanese cruiser en route to Hako-date.

The vessel was released within twenty-four hours, it being made plain to the authorities that her destination was an intention of attempting to reach Vladivostok.

The officers of the Crusader say that they were well treated during their detention by the Japanese.

FURIOUS STORM IS RAGING.

New York at Mercy of Elements--Hundreds Endangered.

NEW YORK, January 4.—New York City and all the surrounding country today was in the grasp of the most severe storm of the winter. Traffic of all kinds was hampered, trolley lines were tied up and the streets, swept by a gale, driving before it fine snow that cut like sand and piled in great drifts, were practically impassable.

Railroad trains from all points were delayed from a few minutes to three hours and the elevated lines were operated with great difficulty without regard to schedule.

At sea the conditions must have been severe, but so far no disasters have been reported.

All over the city early today trolley cars were found blocked in the streets, great drifts piled against them, preventing them from moving an inch.

In many of the cars were snow-bound passengers, who had remained in the cars all night rather than face the blizzard in an attempt to walk to their homes.

Because of the severity of the storm, policemen were sent out during the early morning hours to rescue persons who had fallen in the snow. The doors of every station-house were thrown open to the homeless and unfortunate.

The city lodging-house was crowded by men, women and children, and not an apartment was turned away from Bellevue Hospital.

TODAY IS THE DAY TO REMOVE SIGNS

This is the day that they give signs away.

Almost every merchant in the city is willing to give away free with or without purchases being made one handsome sign board prettily lettered with gilt.

This is all on the account of the edict of Mayor Olney which becomes effective at six o'clock tonight.

There are a few of the merchants like Charley Heeseman, who have invested quite a fortune in signs. The large electric sign in front of Heeseman's cost in the neighborhood of \$700 and is up with the permission of the Board of Public Works.

As the board did not have authority to grant permission to look as though the sign would come down unless the clothier resorts to that popular form of stopping things—the injunction.

In anticipating having a busy day tomorrow Mayor Olney has instructed Street Inspector W. W. Blair to have a squad of men ready tomorrow morning to make a raid on the signs.

Thus far there have only been a few merchant's who have complied with the request to remove signs and it appears as though the city would have the job on its hands.

C. H. BUTLER ROBBED.

The home of Charles H. Butler at the corner of Eighth and Grove streets was entered by burglars Tuesday evening. So far as can be learned, the thieves only secured a gold watch.

SETS CLOTHING AFIRE.

Rena Masters an aged woman from Fruitvale, was committed to Ukiah Insane Asylum this morning by Judge Ogden. It was shown that she had attempted to destroy herself by setting fire to her clothing and had threatened to take the lives of others.

WRIGHT'S PARAGON HEADACHE CURE

Relieves from suffering instantly, and checks long continued tendencies to the headache. Down goes the cure, away goes the headache, up go your spirits, every drugstore.

IF YOU BUY YOUR FURNITURE

And carpets before seeing our stock and getting our prices you will be almost sure to say, "I did it." Be sure to get cash, or easy payments. C. W. Kinsey, 657-529 Twelfth street, between Clay and Washington streets.

WHAT DO YOU WANT?

\$1000.00

In Valuable Premiums

FREE To Our Want Ad Patrons

ADVERTISE YOUR WANTS. NO MATTER WHAT THEY ARE. THE RETURN WILL BE SURPRISING.

BELIEVES HE SHOT BURGLAR.

Storekeeper Fires at Midnight Intruder--Bloodstains Found.

A second attempt to rob the store of E. Gargula on the night of January 2 resulted in three shots being fired at the intruder, one of which is thought to have taken effect in some portion of the burglar's anatomy.

On the night of December 31 Gargula's place of business was entered and \$23 in cash and a blanket stolen. The matter was reported to the police but no clue was obtained. Gargula was not to be caught napping a second time. He waited patiently for the burglar to make an appearance a second time.

His vigilance was rewarded Monday night. He heard some one trying to raise the window in the front part of the store. He waited until he thought the man was partly through the opening and then fired three shots. Two crashed through the window pane and one went below the window sill.

Detectives Holman and Storey, who were detailed on the case, report finding a trail of blood leading from the window to the street. Here the trail closed.

The detectives believe that the burglar was wounded and maybe made his escape on a bicycle. From the amount of blood found it is thought the wound was a serious one.

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MUSICAL DIRECTOR IS DEAD.

Theodore Thomas, Famous
Orchestra Leader
Passes Away.

CHICAGO, January 4.—Theodore Thomas, the noted orchestra leader, died of pneumonia at his residence here early to-day. He was 70 years of age. Theodore Thomas, who was the son of an expert violinist, was born at Ebes, Hanover Germany, October 11, 1835. In 1845 his parents brought him to the United States, settling in New York City. Even at this early age the boy had created an impression as a violinist. A concert trip through the Southern cities in 1851 proved such a success that when Mr. Thomas returned to New York he became one of the first violins in concert and operatic performances during the engagements in America of Jenny Lind, Sontag, Grieg and other great opera singers. The real beginning in Mr. Thomas' musical career was through a series of chamber concerts at New York during the years intervening between 1855 and 1872. In 1864 Mr. Thomas' first symphony concert was given in New York and these were continued until he left that city in 1878 to take charge of the College of Music at Cincinnati. He remained in Ohio for two years, then returned directly to New York. He was elected conductor of the New York Philharmonic Society in 1879 and this position he held until he left New York in 1891. In 1883 Mr. Thomas and his orchestra made a tour from New York to San Francisco, appearing at all the principal cities en route. Upon his return to New York Mr. Thomas conceived the idea of a permanent orchestra in that city but after seven years of endeavor he came to the conclusion that Chicago would be a better place for his future work. He came here in 1891 and formed the Chicago Orchestra Association. On December 15th last Orchestra

Hall, the permanent home of the Chicago Orchestra, built at a cost of more than \$800,000, was formally dedicated. It is a monument that bears witness to the untiring efforts of the dead musician.

Death came to the world-famous director almost at the hour of achieving his ambition of years—the establishment of the Chicago Orchestra in a magnificent permanent home. Mr. Thomas lived to lead his orchestra in but four concerts in the great new hall built by popular subscription. His last appearance was at the concert on Saturday, the day before Christmas.

It was a week ago Saturday that Mr. Thomas first felt the ailment which culminated in his death. Apparently the trouble was only a slight touch of the grip. Last Thursday, however, pneumonia developed. On Monday the physicians felt hopeful of recovery but last night there occurred a change for the worse.

JACK JOHNSON TO DANCE FOR MEDAL

It will be Jack Johnson in a new role next Friday night. The pugilist heavy-weight of the color division has signed articles to do a buck and wing dance on that evening on the stage of the Madison theatre. In a contest for a gold medal. He will have as his opponents members of the color-advice now at the Cleveland race track and also local residents of West Oakland all of whom are as eager with their feet as Johnson is with his hands. These exhibitions of the kick and shuffle are to be a side attraction to the exhibition given by Black Fiddlers, Lindbards, which shows at the Madison Theatre this evening Thursday evening and Friday evening.

STOCKHOLDERS HOLD A MEETING

At an annual stockholders' meeting of the West Oakland Bank and Trust Company held in this city yesterday the following officers were elected: President Oscar F. Brelling, first vice-president William C. Jones, second vice-president William C. Jones, Jr., and Henry M. Jones, Jr. A dividend of four per cent was declared on the deposits.

PROSPECTUS FOR NEW RUSSIAN LOAN

BERLIN, Jan. 4.—The prospectus of the new Russian loan of \$51,000,000 will be issued to-morrow or Friday. Subscription lists will be opened in Germany, Russia and Holland January 15th. The price of the issue in Germany will be 95 marks.

MARRIAGE DAMPENS HIS LOVE.

Deserts His Bride After
the Ceremony is
Performed.

Cupid took his flight here Joseph and Blanche Tilton had known what marital happiness was and she was granted a decree of divorce from him this morning by Judge Hall on the ground of his desertion. She testified that they had never lived together from the time of their marriage, but that she had remained at the home of her father in Pittsburg while he kept to his bachelor apartments. They were married May 1903, and he left for good in September of the same year. She was also allowed to resume her maiden name of Blanche L. Phelps. According to the record for the young wife on the stand then happiness was all in their courtship days, but love flew when bound by the bonds of matrimony. In support of her statement that he had been deserted she produced the following letter written to her by her husband from Utah: "Dear Miss Tilton: As we have been married a year and a half of more and have never lived together, at least not long you should know that I could not live with you now. No my dear woman it would be hell on earth to live with you. I do not love you and never can and I will never marry another woman unless I love her. I don't want you to think for a minute I would live with you. I write this with all thoughts of living with you cast from my mind and hoping you will do the same. Wishing you no ill will I will close and remain your devoted husband, J. V. TILTON." The desertion was proven to the satisfaction of the judge and he granted the plaintiff's choice as requested and the right to resume her maiden name as she still lives with her father.

SENATOR REITERATES LAWSON'S CHARGES

WASHINGTON, D. C., January 4.—Senator Stone of Missouri today introduced a resolution receding some of the assertions of Thomas W. Lawson, the financier, who is charged with having contributed to the campaign of Judge Alton B. Parker concerning campaign contributions and asking the Judiciary Committee to inquire into the allegations.

EASTERN TEMPERATURES
CHICAGO, January 4.—(temperatures at 7 a. m.) Chicago New York Minneapolis and Cincinnati 32 Boston 16 Philadelphia 15, Washington, 14, St. Louis, 13.

TO PROBE ELECTION SCANDAL.

Supreme Court Orders
Inquiry Into Denver
Balloting.

DENVER, January 4.—The Supreme Court this morning directed that an inquiry be made into the conduct of the last election in this city and ordered that it assume the scope asked by the Republicans. This means that the investigation shall not only take in the ballot boxes, but the poll books, registration slips and all other matters pertaining to the election. The application of Alva Adams for a modification of the order, limiting it to the ballot boxes only, was denied. The order was, however, modified in the matter of expense. It was directed that Mr. Adams pay one-half of the expense attendant upon the examination of the boxes and one-half the salary of the referee to be appointed by the Supreme Court in this connection. The Republicans were directed to pay one-half the expenses incident to the examination of the boxes and all other matters pertaining to the election. This puts upon Mr. Adams no greater financial burden than that which his attorneys yesterday said he would be willing to assume and allows the Republicans to pay for the greater part of the investigation, which Attorney Hersey yesterday announced they were willing to do.

Mr. Hersey, of counsel for the people, said that the decision was acceptable to him and the court then directed that an order for a full and complete inquiry into the manner of holding the election be entered by the clerk.

ALBANY LEGISLATURE
ALBANY, N. Y., January 4.—The State Legislature assembled today for its session of 1905. After organizing the first annual message of Governor Higgins was received and read.

Keller's Annual Stock Adjustment Sale

Opens Tomorrow—Thursday

Our January sale has been, for years, one of the most desirable incidents in the merchandising history of Oakland. This sale offers more than the usual money-saving opportunities. It embraces several complete lines that arrived too late for the holidays; it includes many excellent lines of staple goods that came to us as the result of the consolidation of our San Francisco and Oakland stores some months ago; and in addition, all the broken lines and overstocks that have come to light through stock-taking.

Men's Neckwear 25c

—regular 50c values.

This selection of ties would create attention even if they were offered at their regular price; they are the newest, brightest, most stylish lot of neckwear ever seen, new shapes—new varieties.

Fancy Hose 12 1-2c

Hundreds of dozen pairs of regular 25c values, embroidered stripes and figures, all sizes in one pattern or another—a truly great offer.

Underwear Specials

Money-savers for all.

Natural gray, ribbed, wool underwear, regular \$1.00 grade—Special ... 50c

Fine quality wool underwear, perfect fitting, new French neck, vicuna shade; regular \$1.50 value—Special ... \$1.00

Heavy-ribbed ballbrigan, form-fitting, excellent value for \$1.25—Special ... \$1.00

All kinds of odds and ends of splendid underwear all sizes in some grades—CUT IN PRICE ABOUT HALF.

One Dollar Shirts 50c

These are genuine dollar golf and shirt shirts in fancy patterns; also white shirts, some sizes very heavily overstocked; but all sizes in some good patterns.

The Genuine Keller Dress Shirts

Highest grade of white shirts, big overstocks in sizes 15½ to 18 inches; to close out at 50c. Entire line of \$1.50 white shirts ... \$1.00

Hat Specials

Smart lot of \$1.50 and \$2.00 values—special. The lot includes soft and stiff shapes, all shades all sizes in one grade or another, and your fit anyhow.

Regular \$2.00 and \$2.50 values—special at \$1.50. Soft and stiff, black, pearl and brown; some lines complete but mostly broken assortments with something good in each.

Children's Caps

50c caps, including autos; with and without visors, golf, etc.—special at 25c. Some \$1.00 lines ... 50c. Some \$1.50 lines ... \$1.00.

LOOK FOR TOMORROW'S NOTICE OF TAILORING SPECIALS

M. J. Keller Co.

1157-1159 Washington Street

Oakland

PORT ARTHUR'S FALL PREVENTS A BANQUET

MOSCOW, January 4.—The annual municipal banquet has been postponed on account of the fall of Port Arthur.

Linguists at Dinner.

At the dinner given by Father Reis, pastor of the Church of San Lorenzo,

to the English-speaking priests of the city, there were present eight clergymen of the Catholic Church, every one of whom was a linguist.

Including English, which they all spoke fluently, the total number of languages spoken by the party of eight amounted to 28, an average of three and a half languages to each man. This fact was ascertained by an actual investigation which Father Hut-Cortez, whose inquisitiveness in linguistic mat-

ters is well known, made during the dinner.—Mexican Herald.

CHORUS GIRLS AND THE PEERAGE.

An epidemic of matrimony with chorus girls has broken out again in the British peerage. Three young lords and a marquess are depleting the stage of the same theater. Contrary to the recent announcement by the solicitor of another peer that as soon as he had married an American heiress his debts would be paid, marriage seems to turn out ahysical these theatrical alliances can have no financial motive. Yet the chorus-girl marriages seem to turn out as well as those arranged on purely business principles. And marriages out of their own circle keep the British peerage more viable than the Continental nobility with their interminable quarrels.

\$1,000.00 IN VALUABLE PREMIUMS

To Be Given Away Absolutely FREE to OUR WANT AD Patrons

All WANT ADVERTISERS are entitled to participate in the contest for the following list of magnificent premiums which will be distributed March 17, 1905. Coupons will be given with Want Ads inserted in the Want Columns of the TRIBUNE. One coupon for each ad. If the ad is inserted for more than one time additional coupons will be given.

In advertising in the WANT COLUMNS of the OAKLAND TRIBUNE bear in mind:—

First—The TRIBUNE is the WANT AD medium of Alameda county.

Second—WANT ADVERTISERS reach the greatest number of readers through the OAKLAND TRIBUNE.

Third—The TRIBUNE is the only Associated Press daily in Alameda county.

Fourth—That WANT ADVERTISERS get quick returns from the WANT COLUMNS of the TRIBUNE.

Fifth—That the WANT AD rate is but ONE CENT A WORD first insertion, ONE-HALF CENT A WORD each subsequent consecutive insertion.

READ THE FOLLOWING LIST OF VALUABLE PREMIUMS.

ONE BEAUTIFUL CORNER BUILDING LOT IN BAY VIEW PARK A Suburb of Oakland, near San Pablo Avenue, Stage Station and Schmidt Station; on S. P. and Santa Fe Railways (Suburban Realty Co.) Title Guaranteed. Value \$285.00

THE LATEST IMPROVED DROP HEAD SEWING MACHINE (WALTER MEESE) VALUE 60.00
ONE ELEGANT LARGE SPECIAL MADE SLATLESS TRAVELING TRUNK (OAKLAND TRUNK MFG) VALUE 50.00
TWO LIFE SCHOLARSHIPS AYERS' BUSINESS COLLEGE, SAN FRANCISCO; VALUE 120.00
ONE LADIES' GOLD FILLED 20-YEAR GUARANTEE ELGIN WATCH, WITH 14-KARAT FILLED CHAIN, SOLID GOLD SLIDE WITH DIAMOND CHIP (B. COHEN, MFG JEWELER) VALUE 40.00

ONE LARGE WATER COLOR FRAMED (STILL LIFE BY GERHART) VALUE 40.00
GENTLEMAN'S ELEGANT HUNTING CASE GOLD FILLED ELGIN MOVEMENT WATCH (R. WICKMANN) VALUE 25.00
ONE LADIES' FINE PATTERN HAT (RONAYNE'S) MILLINERY) VALUE 25.00
TWO HAND PAINTED STEINS (CAL. STUDIO OF ART, HUBBERT) VALUE 30.00
ONE SOLE LEATHER, SATIN LINED, SUIT CASE (OAKLAND TRUNK MFG) VALUE 15.00

FOUR PAIRS MEN'S WM. L. DOUGLAS SHOES; VALUE 14.00
SIX PAIRS SCHNEIDER'S GOOD SHOES FOR MEN; VALUE 21.00
TEN PAIRS SCHNEIDER'S FINE SHOES FOR WOMEN; VALUE 35.00
EIGHT DOZEN FINEST PLATINUM PHOTOGRAPHS, LATEST FINISH, BOOKLET FORM, ANY STYLE, 1/2 DOZEN EACH (DORSEY) VALUE 64.00
SIX ELEGANT HAND PAINTED CHINA DINNER PLATES (CAL. STUDIO OF ART, DORSEY) VALUE 30.00

FOUR HANDSOME HAND PAINTED WATER COLOR PAINTINGS; VALUE 60.00
SIX FINE HAND PAINTED CHINA PIN TRAYS; VALUE 16.00
SIX HAND PAINTED CHINA NOVELTIES, CUPS, SAUCERS, ETC. (CAL. STUDIO OF ART) VALUE 25.00
ONE BEAUTIFUL EASTMAN KODAK (TRAYERS & MULLER) VALUE 25.00
20 POUND BOXES FINEST FRENCH BONBONS AND CHOCOLATES (ROGERS' REGENT CANDY SHOP) VALUE 20.00

NINETY-ONE PREMIUMS IN ALL

VALUE \$1,000.00

WORKING HARD FOR THE TOGA.

Senatorial Candidates Are Making Claims at the Capitol—New Laws Are Suggested.

SACRAMENTO, January 4.—The fight for the toga of United States Senator still runs but it is one of the most uneventful ever known in California. Work of course is being carried on but it is without demonstration and the effect is not apparent. Last night at 10:30 o'clock the lobbies of the hotels in which the headquarters of the rival candidates are located, were almost empty of legislators or hangers-on, the headquarters themselves were deserted and the aspiring gentlemen who would secure entrance to the Upper House in Washington, had gone to bed.

RUMORS OF A "BARL"
There is a rumor, afloat that a "barl" is to be opened soon and that it will have prodigious effect upon the candidacy of some one, but the origin of the rumor and the owner of the "barl" cannot be located.
Frank Flint of Los Angeles is making a good fight and claims to be in the lead. He is working hard for the toga.

OXNARD'S METHODS.
Henry Oxnard is not a particle less hopeful of his success than are the supporters of Flint. Mr. Oxnard is a gracious, energetic gentleman who readily finds favor with those with whom he meets. He goes about his work of securing support in an easy but impressive manner which, it is said, has secured him several promises since his arrival.
Mr. Oxnard's friends state that he has 34 votes promised to him and that more will soon be pledged in his behalf.

George A. Knight is the more demonstrative of the candidates. He appears more in public and seems to be making a much more active campaign than do the others. His supporters say that he has 35 votes promised to be cast for him when his name is called.
This friendly estimate of votes, it is apparent cannot be relied on for the reason that the total for the three candidates named is 133 or 13 more than the number of men in both houses, and yet no reference is made to the votes pledged in behalf of Bard and Flisk, the latter of whom has recently entered the race.

PARDEE NEUTRAL.
An impression has obtained that Governor Pardee was quietly taking part in the fight or that he was, at least, in favor of a selection of a senator from the southern part of the State. The impression was based upon the alleged desire of His Excellency to repay the South for its loyalty to him, two years ago when he was running for Governor.

THE TRIBUNE correspondent has been assured by a gentleman who is entitled to speak for the Governor that the latter is taking no sides in the Senatorial contest.
"I know whereof I speak," said this gentleman today "that the Governor is doing nothing in the fight. He is keeping his hands off. He wants to be thoroughly unbiased. That I know for a fact."

PHIL WALSH FOR KNIGHT.
Assemblyman Walsh of Alameda is practically the first of the legislators in the North, outside of those who come from towns containing senatorial aspirants, who has come out openly and espoused the cause of one of the men seeking senatorial honors. He authorized **THE TRIBUNE** today to say that he is supporting George A. Knight for Senator. Since the entry of Mr. Knight into the contest, Mr.

Walsh has been a pronounced Knight man. He says that that gentleman has a national reputation, is a noted orator, a capable lawyer and, in a word, a man who would reflect honor upon the position. There is, he declares, not too much of eloquence in the Senate at this time and the injection of a man into that body who is able to think upon his feet and to express his thoughts while standing would be a move in a direction which is highly worthy of appreciation. Mr. Walsh is inclined to believe that Mr. Knight will win the toga. At all events he will be with him in the pride of victory or regret of defeat.

KNIGHT AND PARDEE.
There was a little scene in front of the Golden Eagle today which showed the sensitiveness which exists between George A. Knight and representatives of the administration in this State. In the midst of the crowd of legislators, place-seekers and hangers-on stood a little group composed of Chas. Spear, chairman of the State Board of Harbor Commissioners; Bart Cavanaugh, a local politician of considerable astuteness; Assemblyman Walsh of Alameda County, and several others. George A. Knight, candidate for United States Senator, approached and, as he did, Mr. Spear addressed him saying:

"Good morning, Senator."
"I am not Senator until I am elected," replied Knight somewhat tartly, "and do not desire to be the subject of your irony. Furthermore, I say to you that a friend of yours who is now occupying the position of Governor, may not be in that position two years from now, if I can prevent it."

Mr. Spear said he intended to be entirely respectful in using the term "Senator" and the conversation then drifted into calmer channels.
LEGISLATION FOR HEALTH.
There will be a gentle dropping of bills into both houses before long under the patronage of the State Board of Health. Nearly all these measures have been prepared by Dr. Foster of Oakland who is now secretary of the board in question. Some of them are short while others are voluminous. They are intended to supply deficiencies now existing in the laws intended for the preservation of health and the stamping out of contagion.

When Dr. Foster assumed the duties of his present office, he found that the Board was, to a great extent, powerless to carry out the purposes for which it was created. In some cases the enactments were deficient, in others they did not go far enough and in others, still, where the measure covered the ground, there was a lack of authority to inflict punishment for the violation of the statute.

The result of Dr. Foster's study of the situation and his conferences with other physicians throughout the State are the measures in question, a number of which will be introduced into the Legislature by delegates from Alameda and other counties.

Among these measures will be the following: Making the pollution of springs, ice and streams a misdemeanor and providing for the punishment thereof; creating the position of County Health Officer, the incumbent of which is to be appointed by the Board of Supervisors, must also be a graduate of an established medical college can be of good standing in the profession, the salary to be not less than \$900 per annum; requiring health officers to report to the State Board of Health; creating and maintaining a State Laboratory in the Bacteriological

Department of the University of California in which there is to be a representative of the State Board of Health; establishing a Bureau of Vital Statistics—births, marriages, deaths, etc.

LUKENS AND REVENUE.
It is now generally believed that Senator Lukens of Alameda County, will be assigned to the same committee on which he served at the last session of the Legislature, namely Education, Finance, Commerce and Navigation, Corporation and Judiciary. Of the last mentioned committee, the Senator acted as chairman with signal ability.
Senator Lukens is entirely in accord with Governor Pardee on the question of revenue and taxation a new system of which the Chief Executive thinks should be introduced into this State. He is also close to the Governor in many other respects and will have charge of legislation in the Senate, affecting such matters. He is strongly of the opinion that there should be introduced a system of indirect taxation which would lighten the burden of the direct tax upon real property.

Senator Lukens will also have charge in the Senate of all legislation affecting the University of California, of which he is a graduate and a devoted supporter.
He will also take special interest in the move to accept the invitation of Congress on the part of the State of California to contribute a statue of some noted Californian to the Rotunda Gallery of distinguished sons of the several States in the Capitol at Washington.

RECESSION OF YOSEMITE.
On the question of the recession of Yosemite to the National Government by the State of California, Senator Lukens says that, at the present time, he is opposed to the project, but he has not as yet matured his views on the subject. He says that some time ago Mayor Olney of Oakland asked him to get behind the movement to give the valley back to the General Government but that he has not decided as to the action he will take.

SIMPSON AND BATES OPPOSE.
Under the head of legislation providing for the formation of new counties, will come up the bill framed by the Merchants' Exchange of Oakland for the purpose eventually effecting a consolidation of the towns of Alameda, Berkeley and Oakland into one municipality to have one city and county government. This measure, the proponents say, is of a general character and they are willing to have it amended in any manner which may tend to increase its serviceability.

Senator Simpson and Assemblyman Bates of Alameda are patiently awaiting the appearance of this measure. They are under instructions from their constituents to oppose the plan to the uttermost. They are personally pleased to do so because they do not desire that Alameda should be absorbed by Oakland or that she should, in any manner, lose her individuality.

Mr. Bates declares that Alameda has a good city government, is satisfied with it and, furthermore, that there is no necessity for a change.

Senator Simpson says that Oakland has not reached the proportions which would warrant her in trying to drag Alameda within her boundaries. He also states that the measure is personally and legally objectionable because in voting on the question of establishing a new county, the majority of the whole vote cast is to determine when, instead, it should be the majority vote of the people in the territory which it is proposed to annex which should decide.

WARRANT FOR BERT SWAN.
A warrant was issued today by the State Auditor, in the sum of \$21.04 for the late Bert Swan, turnkey at San Quentin, formerly of Oakland, who died from injuries sustained by his accidentally shooting himself several months ago.

At the last session of the Legislature, Swan served as historian of the Assembly. An amount of money was appropriated for the purpose of defraying the expenses of preparing the final history of that body which work was always done after adjournment. With Swan, in this work, were B. Peckham and Ed Smith. Swan's share of the appropriation was the sum above mentioned and that sum is now available.

AIR BRAKES FOR STREET CARS.
William Edison, a conductor in the employ of the Oakland Transit Consolidated, working on the College avenue branch of the system of that company in Oakland and Berkeley, and representing the Car Men's Association, is in this city for the purpose of having introduced into the Legislature a bill compelling street railway companies to equip all their double truck cars with safety-air brakes. Appliances of this kind are now in use on the cars of some of the electric lines in Los Angeles and San Francisco.

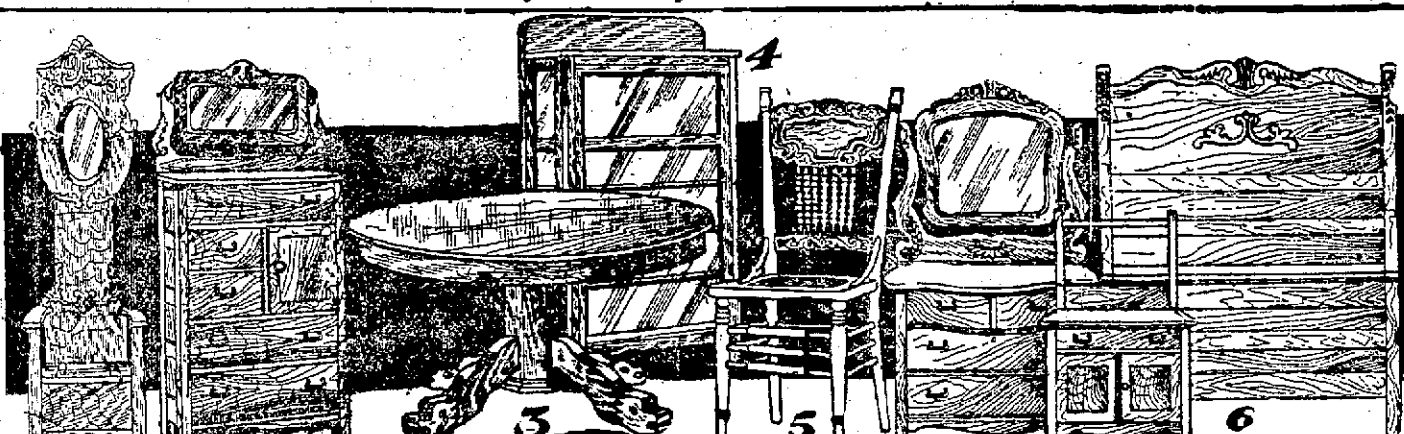
Poisons in Food.
Perhaps you don't realize that many pain poisons originate in your food, but some day you may feel a twinge of dyspepsia that will convince you. Dr. King's New Life Pills are guaranteed to cure all sickness due to poisons of undigested food—or money back. 25c at Osgood's drug stores, Seventh and Broadway and Twelfth and Washington streets, Try them.

TAKE TIME

On your Furniture = your credit is good on the square

Begin the New Year in a home of your own. Investigate our credit system. The Store on the Square caters to your every want. **GOOD GOODS, LOW PRICES and LIBERAL TERMS** make furnishing an easy matter. Every purchase made here is covered by an absolute guarantee of satisfaction or your money back.





NO. 1—HALL RACK—Solid oak, golden finish; bevel plate mirror; cast brass hooks. Price \$9.25

NO. 2—CHIFFONIER—Golden finish; plate mirror; five drawers and hat box. Price \$8.50

NO. 3—PEDESTAL DINING TABLE—Solid oak, golden finish; six-foot drawer. Price \$17.75

NO. 4—CHINA CLOSET—Solid oak, golden finish; Mission design; well made and highly polished. Price \$13.75

NO. 5—DINING CHAIR—Solid oak, golden finish; braced back; cane seat. Each \$1.05

NO. 6—THREE-PIECE BEDROOM SUIT—Golden finish; dresser has bevel plate mirror; shaped top; brass trimmings. Entire suit, prettily carved and highly polished. Price \$17.25

Carpets

New designs that are exceptionally beautiful. Dozens of patterns exclusive with us. Every worthy make represented at lowest price.

Regal Range

The perfection of the stove found-ers art. Will save its cost in fuel. Every part guaranteed. Terms \$1 down and \$1 a week.

Model Cottage

A Complete Four-Room Cottage built on the fifth floor. Refurnished weekly.

Cordes FURNITURE CO. GEARY ST. ON THE SQUARE

SAN FRANCISCO

ADAMS WILL BE SWORN IN.

Democrats Determined to Make Him Governor of Colorado.

REFLECTIONS OF A BACHELOR.
Either the countryman comes to town to buy green goods or to sell them. The thinner a girl is, the more ribbon she runs in to make believe she isn't. A nice thing about being in trouble is how smart you will think yourself to have gotten out, if you do. A woman gets suspicious of the man she loves every once in a while, so often, so that he won't do anything suspicious. There is scarcely anything a girl enjoys more than making a fool of an old man unless it is to be made a fool of by a young one. —New York Press.

BULLETS STOP HIS FLIGHT.

Escaping Prisoner Halts When He Hears Pistol Shots.

It took two shots from the revolver of Policeman Murrell last night to stop Peter Spymettia, a Slavonian, who was arrested with his pockets bulging with cigars, apples and oranges. Murrell first arrested the suspect, who appeared to be very docile prisoner. He could not speak English, but realized that he was under arrest. After he had walked a few feet he broke from the police officer and ran down Seventh street from Franklin street. Murrell pulled his revolver and sent the shots close enough to the fleeing prisoner to make him stop. Spymettia was handcuffed and taken to the City House of Detention. His name was placed on the small book until his record can be investigated.

RECESSIONAL FOR WIVES.

'Remember that you are only your husband's helpmeet. Do not forget that you were created for your husband.' —Mrs. Stone, and woman suffragist.

Boss of our fathers, feared of old, Known by your ears soft tales were told When man sets forth your hand to win, A helpmeet then you vowed to be, Through his prosperity or debt, You said none was so grand as he—Lest you forget, lest you forget!

As out of chaos worlds were formed And out of darkness burst the light, So you upon man's vision swarmed And charmed him with your glances bright. He never dreamed your slender hand A grim grip on his hair would get; We mention this, you understand, Lest you forget, lest you forget!

The tumult and the shoutings rise, The captains and the kings depart When from your hand the gauzy veil flies, Unerring as a flint-tipped dart, When man comes home at 3 a. m., By no glad welcome is he met. Sad facts! We merely mention them, Lest you forget, lest you forget!

Romance throws up its hand and swears When we are told how many wives Are wearing hubby's pantaloons, O woman, go and cook his meals, Or else life's scheme will be upset. We only send up these appeals, Lest you forget, lest you forget!

PROBATE NOTICE.

In the Superior Court of the County of Alameda, State of California. In the matter of the estate of Francis Cushman, deceased. Notice is hereby given that the probate of the will of Francis Cushman, deceased, and for the issuance to David Barry of letters testamentary thereon has been filed in this Court, and that Monday, the 16th day of January, 1905, at the hour of 3 o'clock p. m., at the office of the County Clerk, 48-48, No. 88 Broadway street, City of Oakland, California, is set for the hearing of said petition and proving said will, when and where any persons interested may appear and contest the same. Dated January 4th, 1905. J. E. MELOY, Attorney for Petitioner, 267 Broadway, Oakland, California.

NOTICE OF ANNUAL MEETING.

Notice is hereby given that the Annual Meeting of the Stockholders of the M. & C. and T. O. Co. for the election of Directors for the ensuing year and the transaction of such other business as shall properly come before such meeting will be held on Monday, the 16th day of January, 1905, at the hour of 3 o'clock p. m., at the office of the Company, at Rooms 48-48, No. 88 Broadway street, City of Oakland, California. Attest: R. A. JACKSON, Secretary of the M. & C. and T. O. Co.

Special Reductions in Dress Goods

At FLYNN'S—All of This Month

ZIBELINES—50 inches wide, \$1.00 50c per value at

REPELLENTS—56 inches wide, a few shades left, splendid value, the balance goes at 40c per yard

Some Fine Bargains—Extra Broken Lines

P. FLYNN

The Reliable Dry Goods Store, 469 and 471 Twelfth Street bet. Broadway and Washington—Phone Main 340. Free Delivery

MAKES A REPLY TO SENATOR.

S. A. D. Puter Answers
Statements of Senator
Mitchell.

PORTLAND, Ore., Jan. 3.—A. D. Puter, recently convicted in this city with Horace G. McKinley, Daniel T. Tarpley and Mrs. Emma Watson of conspiracy to defraud the United States Government of public lands, made a statement to the telegraph to-day in contradiction of statements issued by United States Senator John H. Mitchell, indicted on Saturday last by the Federal Grand Jury on evidence similar to that presented at the criminal trial of the persons recently convicted. Puter's statement follows:

"When I said that I gave Senator Mitchell \$2,000 to use his influence with Binger Hermann to expedite those land claims in 1917 I told the truth and Senator Mitchell knows it.

"I gave Senator Mitchell \$2,000 to get those patents through, and I will say that I never regretted telling anything so much in my life as the fact that Mitchell took the money. I never told a living soul in my life before I gave the details of my part in this case to the public. I made an entry book, in which I made an entry of every cent spent in connection with getting the lands to patent. All the costs of filing were entered as well as railroad fares, etc. The only entry I made of this money given to Mitchell was '\$2,000.' McKinley may have had an idea of his own as to where the money went but I never told him.

"Mitchell had no information from me as to the fraudulent characters of the entries to this land.

"I never so much as intimated it to him. But when Hermann gave me to understand that the land was down and out and that the matter would have to be referred back to the Oregon City Land Office, I went to Senator Mitchell and told him that these Oregon lands would have to go through for the reason that if they were referred back to the original office the whole thing would be interrupted. I told him that the entries were scattered and that it would be impossible to get them together again.

"I laid two \$1,000 bills on the table. Mitchell said that it was too much. I was desperate over a desire to get the patents through and told him to take it and do what he could to influence the commissioner (Congressman Hermann) to take the claim up and get the patents issued. I knew that as a United States Senator, Mitchell would have a lot of influence with the Land Office and I was willing to pay that amount to have the patents issued.

"I knew the special agents had made a report on the lands but of the nature of the report I had no means of knowing and I was at a loss to know why Commissioner Hermann threw the claims out. I don't know to this day why he did it, but when he told me the last time I was before him that the lands would have to go back to the original office, I went to see Mitchell at once. All I know about Hermann is that after the money was paid to Mitchell and I had given him that money, he changed his mind and told me that Hermann changed his mind. Why he did it, I don't know, and would not presume to say."

RUSSIANS HEAR THE NEWS.

Public Seems Stunned By
Announcement of
Surrender.

ST. PETERSBURG, Jan. 3.—The public seems stunned by the announcement of the fall of Port Arthur, which the government authorized this morning in the shape of the publication of foreign telegrams.

Little had been done to prepare the people and the impression produced is, despite the heroic nature of the defense, almost stupefaction.

What will be the immediate effect of the announcement on the internal situation remains to be seen, although it is fully expected to be followed by big demonstrations on the part of the elements which spare nothing to embarrass the government.

SNEAK THIEVES AT WORK

MANY THEFTS ARE REPORTED IN
THE COLLEGE
TOWN.

BERKELEY, January 3.—Sneak thieves have operated in Berkeley during the last few days, breaking the record for such crimes in the college town. The room of Mrs. Alice Barry, of the Golden Sheaf Bakery, on Shattuck avenue, was entered last Saturday afternoon while Mrs. Barry was in an adjoining room, and a gold watch and two diamond rings were taken. The room of Mrs. Anna Hartley, on the same floor, was entered at about the same time and a small quantity of silver taken from Mrs. Hartley's purse.

Last night a Japanese, Jimai Kodachi, employed at W. E. Wright's, had his month's savings stolen from his room. Mrs. Alice Gardner reported to the police today the theft from her room in the Thomas Block of a gold watch and a diamond ring, taken, she believes, last Sunday night.

In the same block, during the last month, Millers Matthews, an employee of W. E. Wright, had his month's savings stolen from his room. Two of the rings, which were not very valuable, over the transom back into the room after he had finished his work.

Gus Bernal, living in the same block, lost a feather box valued at \$40, this having been taken from his apartment during his absence last week. All these affairs have been reported to Marshall Kerns, whose deputies are now at work looking for traces of the daring sneak thief or thieves who are suspected of these crimes.

SMALL ARMY OF ATTACHES.

SACRAMENTO, Jan. 3.—The patronage committee of both Houses are taking advantage of the adjournment this afternoon to distribute favors to the small army of waiting attaches.

Lieutenant Governor Alden Anderson and Speaker Prescott are busily engaged making up their committees.

OAKLAND IS A HEALTHY CITY

Health Officer von Adelung states that the month of December just past was one of the healthiest in the history of Oakland. There was not a single case of scarlet fever during the month. Since 1895 each month brought with it a number of cases of scarlet fever, but December was an exception, as there were no cases reported at all. The city was remarkably free also from typhoid and malignant diseases.

PLACE MORTGAGE ON RECORD.

In order to borrow something over \$2,000,000 the Oakland Traction Company has mortgaged all of its railroads in the cities of Oakland, Alameda and Berkeley, its shops and rolling stock to the Union Trust Company of San Francisco for \$7,000,000. The document was filed for record this afternoon and cost \$99.60 to record.

The document sets forth the fact that in 1902 the Oakland Traction Consolidated borrowed \$5,000,000 from the Union Trust Company on its properties. Since then it has consolidated its properties with those of the Webster Street and Park Railway Company under the name of the Oakland Traction Consolidated. The old indebtedness under the various lines consolidated under the new name amounted to \$4,500,000 and this has now been increased to \$7,000,000.

TELLS OF LOSS AT FORTRESS.

ST. PETERSBURG, January 3.—The text of General Stoessel's dispatches follows. On December 28th the General wrote:

"The position of the fortress is becoming very painful. Our principal enemies are scurvy, which is mowing down the men, and eleven-inch shells, which know no obstacle and against which there is no protection. There only remain a few who have not been attacked by scurvy. We have taken all the possible measures, but the disease is spreading.

"The passive endurance of the enemy's bombardment, the eleven-inch shells, the impossibility of replying for want of ammunition, the outbreak of scurvy and the loss of a mass of officers—all these causes diminish daily the capabilities of the defense, and the tale of losses of higher officers we have sustained. Of ten generals, two—Kondratenko and Tserptzky—have been killed.

"Raznotvsky is dead, two are wounded, myself and Gonnadeer, while Gorbatsky is suffering from contusions.

"Of nine regimental commanders and colonels, Prince Matchabell Naoumenko has been killed, Dourile and Glagolev have succumbed to wounds and four others have been wounded. One lieutenant colonel has been killed and two are wounded."

On December 29th, General Stoessel wrote:

SAN FRANCISCO, Jan. 3.—A dispatch to the Merchants' Exchange states that the Kosmos Liner Kosmos, which grounded in the Straits of Magellan, after being floated, proceeded to Port Famine for repairs.

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TELLS OF TERMS MADE.

Russian Officers Can
Retain Their Private
Property.

WASHINGTON, January 3.—Late this afternoon the State Department received a dispatch from Minister Grieco, at Tokio, stating the terms of surrender of Port Arthur. The dispatch is as follows:

"Terms of surrender permit Russian officers to retain their private property and to return to Russia on parole. Non-commissioned officers and privates will remain prisoners of war."

KINIRY'S CASE IN COURT.

Arguments on a motion for a change
of venue for David Kiniry were begun
this afternoon by Attorneys Page and
Gentry before Judge W. E. Greer sitting
in the criminal department.

A large number of newspaper articles were read in court for the purpose of showing that there is ground for the contention that there is widespread feeling against the prisoner.

In the affidavit the attorneys for Kiniry have set forth that by reason of the recent murder of Policeman Brown under almost similar circumstances as the murder Kiniry is charged with, the public mind has been inflamed against Kiniry and that the press has already tried, convicted and consigned Kiniry to everlasting punishment. To support this the reading of the articles published is now being proceeded with.

The motion for a change of venue for P. David Kiniry, the accused murderer of Policeman James H. Smith was denied by Judge Green today. His trial was set for February 27.

UNCLE SAM IS READY TO ACT

WASHINGTON, January 3.—Whatever effect the fall of Port Arthur may have on the ultimate issue of the war, the attitude of this Government toward the belligerents has not undergone the slightest change. More than once the American Government has let St. Petersburg and Tokio know that it stands ready at any time to render neighborly assistance whenever both belligerents are prepared to welcome it. Further than this the Government has not gone.

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UNION MEN ARE IN SESSION.

Slate Labor Federation
Gets Down to
Business.

SACRAMENTO, January 3.—At this morning's session of the State Labor Federation, the report of State Organizer Fred C. Wheeler was presented.

During the past nine months he has addressed over 250 meetings and affiliated 125 unions with the federation, twenty of which were newly organized. He recommended State legislation to change the limit of child labor from 12 to 14 years.

The report of the executive board denounces the frequent use of State cent books as a crying evil; declares that school elections should be put under the general election laws, asserts that the present eighthour law in this State is everywhere grossly disregarded.

The report strongly urges the Representatives in Congress and the Senate to support an adequate Mongolian exclusion act.

Changes in the health laws that will benefit men and women who labor, are urged at the hands of the State Legislature.

Resolutions were passed by the State Council, condemning the Ralston bill, known as the Black List bill, on the ground that it is a blow at organized labor, a menace to the rights and liberties of the working people and unconstitutional.

WILL SUE ANGEL IN COURT.

SAN FRANCISCO, Jan. 3.—News comes from the stranded stars of the Kolb & Dill Company in Australia that the "angel" will be sued when they have worked their way home across the Pacific.

The "angel" is Captain W. F. Mighell of the California Navigation Company, in this city. A week ago he returned from the Antipodes, leaving the O'Farrell-street travesty stars forlorn after sinking \$30,000 in the effort to please Australia. Since then stories of the financial smash of Kolb & Dill have crossed the water.

The Melbourne critics were particularly severe in their roasts, and Kolb and Dill, Blake and Maude Amber have come to the sad conclusion that Britishers cannot appreciate the humor of United States burlesque. The national failing promises to result in lawsuits and more trouble for the promoters of the trip who led popular favorites from their own field to the cold frosts of Australia.

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W. H. CHICKERING ASKS QUESTIONS.

Calls on President Tevis to Explain
Claims of Bay Cities
Company.

EDITOR TRIBUNE—I find in your paper of the 2d inst. a letter signed by Mr. William S. Tevis, president of the Bay Cities Water Company, purporting to reply to my letter published in your issue of December 28th last. Mr. Tevis is correct in charging me with now being in the employ of the Contra Costa Water Company. This, however, is not a crime and does not prevent my being a citizen of Oakland and a taxpayer, too, nor my telling the truth. It is enough in this regard to say that my employment followed my letter, not my letter the employment.

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12—What evidence has the Bay Cities Water Company not in existence at the time Mr. Desmond Fitzgerald condemned its scheme, to show that the quality of storm waters is not bad as alleged by him, and that such waters only became potable by filtering or aerating?

13—Is it or is it not the fact that only four days were occupied by the Board of Engineers recently appointed, upon the properties to be conveyed to the City of Oakland, in making actual examination of the physical features of the properties and in going over the eighty or more square miles of watershed claimed by the Bay Cities Company?

14—Do you think the City of Oakland amply protected by a bond of \$1,000,000 when it is proposed to pay to your Company \$3,750,000 for a plant from which it may never be able to obtain water, unless each of the foregoing questions can be satisfactorily answered?

15—Would you, as a man of wealth, invest your means in bonds secured alone by property which a company proposes to convey while another water company is already in the field?

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OAKLAND TRIBUNE

Tribune Publishing Company.

William E. Dargie, President.

Newspapers—and the Other Kind.

We reprint today an editorial from the Stockton Mail that is worthy of close examination by the editor of every rural newspaper in the State—it is so true and sets forth so clearly the difference between real journalism and the catchpenny kind. The editor of a country paper who can find nothing to write about has mistaken his calling. He may be a good man, he may be educated as the phrase is commonly understood, he may be conscientious and really be in search of material to put in his paper, but—and here is the pith of the proposition—he has no nose for news and no aptitude for narrating the neighborhood occurrences in an interesting and intelligent way.

It was said of Robert Louis Stevenson, "Give him a pencil and note book and let him spend a few days in any community, however small or isolated, and he would have material for a book." Men with the genius of Stevenson are rare, but a man must have small powers of observation and no capacity for narration who cannot gather material for half a dozen columns of readable local matter during the course of a week. Despite assertions to the contrary, there is something going on in every community, something of interest to the outside world as well as to the inhabitants of the immediate locality.

What the Mail says of the Colusa Sun is true, and with some reservations applies to a number of small dailies published in California. There are others utterly devoid of interest—some of them haven't a decent excuse for living. It is a pleasure to take up some weeklies—others are opened only to be tossed away as unworthy of wasting a moment's thought upon.

On the whole, the interior newspapers of this State are brighter and more readable than journals published in similar communities in other States, but there are some so-called newspapers in California that have no claim to the name. They are not merely dull—they give evidence of neither thought, industry, literary taste or typographic art.

The Watsonville Pajaronian is an example of a live daily in a small town and the Vacaville Reporter is a weekly that is always full of good stuff. The Grass Valley Union is a conspicuous proof of what can be done in a town of five or six thousand inhabitants by a man of brains and enterprise. Another stirring daily in a small town is the Chico Enterprise. Examples might be multiplied, but those given will serve to point out moral, which is that it takes a newspaper man to make a newspaper.

In giving the world the first definite news of the fall of Port Arthur the afternoon newspaper has again signally demonstrated its superiority as the transmitter of important tidings in advance of any other medium. The news of every notable event of the war between Russia and Japan has been given to the public through the evening press; the morning journals have invariably been behind. The subscriber to the evening paper reads the story of what has happened during the day before he goes to bed. The subscriber to the morning paper gets the news next day. Invariably the afternoon journal is from twelve to fourteen hours ahead, and it throbs and pulsates with the burden of fresh news—real, live, up-to-date stories of things which have just happened or are happening. No wonder the evening press is steadily gaining in popularity and influence.

The American millionaire traveling in Europe is not quite such an easy thing as the correspondents would have us believe. Recently some enterprising spirits in London conceived that it would be a fine scheme to establish a club where American millionaires could sport in quiet to their heart's content. But strange to say the millionaires came not, and the club became a lounging place for young bloods about town who felt it a hospitable duty to make up a game when Yankees with plethoric purses came to be amused. A suit by a laundryman to collect a \$250 bill closed the club. Thus has come to grief another unappreciated British effort to entertain American guests.

Railroad Building in 1904.

Official returns—not yet complete, however—show that 4,168 miles of new railway track were built in 1904 as against 5786 in 1903—a falling off of about 25 per cent. The figures will be slightly modified when a full account of the operations of the past year is presented in detail, but the change will not be material. The falling off in railroad construction was particularly noticeable during the latter half of the year, and in some part was due to deals, purchases and consolidations which made further construction on certain projected lines unnecessary—for the present, at least.

California, with 201 miles of new line, and Nevada, with 214.80, show up well in the aggregate. Missouri, with 371.90 miles, leads all other States, but Texas is a good second with 312. Oklahoma, with 108, Indian Territory, with 141, and Arkansas with 135 swell the total of Southwestern construction. Only 70 miles were built in Arizona, and the construction in New Mexico was merely nominal.

Strange to say, two States well up in the list of those showing new mileage are Illinois and Pennsylvania, with 190½ and 220 respectively. In proportion to area these already have a phenomenal length of railroad mileage, but it seems that they need more railroads.

In the South Atlantic States 1021 miles were built, and west of the Mississippi river 2445 miles, an aggregate of 3467 miles. Mississippi built 237 miles, Alabama 118 miles and Louisiana 157. In West Virginia 229 miles of new road were completed. Minnesota, with 271 miles, was the only Northwestern State to show much new construction. Not a mile of new track was laid in New Hampshire, Vermont, Massachusetts, Connecticut, Delaware and Nebraska. One mile of new road is reported in Maine.

According to the last edition of Poor's Manual, the railway mileage of the United States at the close of 1903 was 207,784 miles. The addition of track laid during the past year makes the total main line mileage of the country in round numbers 212,000 miles.

The Fresno Republican and the Redlands Citrograph insist that THE TRIBUNE was wrong in stating that Senator Bard had changed his mind (or rather, his position) on the Statehood question. They say he was always opposed to the admission of Arizona and New Mexico as one State. So he was, but he also opposed the admission of Arizona and New Mexico as separate States. He said then that the people of the two Territories were not up to the required standard in education and general advancement to be qualified for citizenship in sovereign States. Now he says the wishes of the people of the Territories should prevail. From this, we take it that he is ready to support bills for separate Statehood. If he is still opposed to letting Arizona and New Mexico come in, double or single, we will admit that he has not changed his mind.

General Stoessel did not hold out as long as he had a man or a gun, as he said he would, but he made a gallant defense, anyhow. A little hyperbole is to be excused when a man lives so nearly up to his vaunt as did the heroic commander of Port Arthur.

Our enterprising friends south of Tehachapi have always used printers' ink to good advantage for advertising purposes—and they have made it pay in a way to excite the wonder and admiration of slower-going and more conservative communities. As a rule the

holiday numbers of the Los Angeles and San Diego papers have been models of typographic art and apt illustration. The mid-winter annual of the Los Angeles Times is not behind its predecessors either in wealth of illustration or in well written descriptive and literary articles. It is a fine publication.

The annual of the San Diego Union is also filled with fine illustrations and well selected matter. It presents a glowing picture of the attractions of the lower coast country, and is altogether a credit to its publishers.

SOME COUNTRY NEWSPAPERS.

Some time ago THE OAKLAND TRIBUNE printed a peppery but well deserved roast of certain country newspapers—so-called—which fill their columns with plate matter and patent medicine advertisements, ignoring the live news of their localities, and then wonder why more people do not subscribe and why a great many of those who do are not more prompt in making payments.

Some of the papers of the interior have resented THE TRIBUNE's article, but they are not the ones referred to by our contemporary. The drones it had in mind haven't spirit enough to resent anything. Some of them are on the Mail's exchange list and some of the others are probably wondering why they were cut off that list long ago. If they could have seen the weariness of the exchange editor as day after day she wasted her time tearing off their wrappers and vainly scanning them for an item or an idea, they would cease to wonder.

A few publishers—they cannot properly be called editors—seem to think that it is a community's duty to support a paper simply to have in existence a medium of chronicling births, marriages and deaths, just as some preachers are supported for no other apparent purpose than to officiate at christenings, weddings and funerals. The papers conducted by such publishers never contain an item unless it comes in of itself or is brought in by some enterprising outsider. They contain no editorial comments except such as are furnished by the boiler plate syndicates. They have no advertising except such as is inserted by charitable business men or by advertising agencies, which latter insist on getting much lower rates than the local advertisers.

It will not do to say that in the towns where such papers are published there is nothing going on. There is enough happening in almost any town of a few hundred inhabitants to keep the people interested when they meet at the postoffice or in the stores and tell "the news." There is not a county seat in the State, especially if it contains a High school, that does not have enough of interest in it to fill the reading columns of a sprightly small daily. Of course, murders, robberies and suicides are rare in such places, and a great many editors seem to think that because they cannot fill their papers with such matter as calls for scareheads in the metropolitan dailies, it is not worth while to try to print any news at all.

A frequent inspection of some of the bright dailies that are printed in small towns will show what can be done by one who puts spirit and brains into his work. Probably one of the prosiest places in the State for the publication of a daily newspaper is Colusa, and yet Will S. Green has made the Colusa Sun a power in that community and throughout the State. He prints whatever news there is in his locality, and in every issue there is a column or more of what he calls "Sun-stories"—pointed comments, usually on local themes, that cannot fail to interest his readers. The forcefulness with which Mr. Green has advocated the irrigation of arid lands and the reclamation of swamp lands has given his paper a Statewide influence, but any man who can write at all can prepare a few comments every day on topics in which his readers will be interested. He need not fear that his editorials will not be read. Most people who subscribe for a local paper in a small town read it all and then wonder why they get through so soon.

There are some communities which support two or three ministers and the same number of newspapers when one of each would answer every purpose much better. There is a kind of mistaken feeling of charity in this matter, which accounts for the existence of some of the deadbeats in the ministry and in the newspaper business. If advertisers and subscribers would treat newspapers as business propositions there would be fewer newspapers—and better ones.—Stockton Mail.

While Mr. David Kiniry is lustily demanding a change of venue on the ground that the people of Alameda County are prejudiced against him, a band of gentlemanly burglars are busy plundering residences in Oakland, Alameda and Berkeley. Should they be caught, they would probably feel that the community is prejudiced against them also.

The partisans of Senator Bard manifest a curious reluctance to going into caucus on the Senatorship. This does not indicate a very strong belief on their part that Mr. Bard is the choice of the Republicans of California to succeed himself. Or perhaps they may shrink from the revelation of relative strength below the Tehachapi divide—a show-down would entail.

Richmond Pearson Hobson discerns a world war looming up on the horizon as a result of the capture of Port Arthur. If Admiral Sampson had understood what a bore he was inflicting on the public he never would have authorized the sinking of the Merrimac.

A Russian diplomatic attache in Paris is quoted as saying that Russia would immediately take measures to besiege and recapture Port Arthur. Vaunts of this character have become quite familiar. The beginning was Kuropatkin's famous boast that he would dictate terms of peace in Tokio some time in July. Since that time he has suffered several disastrous defeats and been driven north some two hundred miles, Port Arthur has been captured and the Czar's Asiatic fleet utterly destroyed. As the Russians can neither reach Port Arthur by land or sea, it is difficult to see how they propose to besiege it. But when inspired by Vodka a Russian can discern no insurmountable obstacles.

A dispatch from Sioux City, Iowa, says the Dowager Empress of China has been converted to Christianity through the efforts of Minister Conger and his wife. If Minister Conger is in the proselyting business he should be relieved of his diplomatic duties. If the State Department should send out many missionaries to fill diplomatic positions, this country is likely to become embroiled in a multitude of complications. Furthermore, all the different religious sects in the United States will be demanding representation in the diplomatic corps. Secretary Hay had better cut the missionary business out, and cable to Minister Conger to quit disturbing the beliefs of elderly female politicians.

Crabbe—Cranky? Do you mean to say I'm cranky? Why, my worst enemy wouldn't call me that. Wise—That's true. He'd probably forget his manners and put a lot of profane adjectives before it.—Catholic Standard.

"And what were the provisions of your uncle's will?" "That I should have all he left after the payment of his just debts." "Ah! very good of the old man, wasn't it? What did he leave?" "Just debts."—Chicago Record-Herald.

The Minister—My dear madam, let this thought console you for your husband's death. Remember that other and better men than he have gone the same way. Bereaved Widow—They haven't all gone, have they?

RHEUMATISM



Hints for the Ladies.

For women in mourning there are costume comb sets of dull jet.

Stamp boxes in red leather are pretty and useful trifles at 50 cents.

Accordion-pleated gowns for house wear are shown in the shops in light tints.

On many of the art calendars this season the pictures are well worth framing.

People who enjoy keeping scrapbooks will find some very fair ones selling for 10 cents each.

Japanese plates in beautiful design are to be had for 50 cents each in one of the Japanese shops.

A lovely little brass lamp has two arched handles, and a shade of deep red silk covered with spangles.

Winter wraps are greatly reduced in price now and it is the wise woman who has waited to purchase a new one.

The Hardanger embroidery takes first place among table linens just now and is not only attractive but wears remarkably well.

Japanese handkerchief cases are pretty and come in cord of different shades and scented with either violet or heliotrope.

A couple of days make a difference in the shops. The day before Christmas one paid 10 cents for the satchet bags now marked 8 cents.

A silver mustard cup, modeled after the familiar tomato, the spoon a leaf, and a bit of the stem for the handle, is among the novelties.

This is the day of the comb. Sets of five combs are among the newest hair decorations, and include two side combs, a top comb and two large pin combs.

POINTED PARAGRAPHS

Thin ice is the undertaker's friend. Too many cooking school graduates spoil the broth.

But few men are able to appreciate a good joke—on themselves. Some girls are shy about marrying men who are shy of money.

Never judge a man's knowledge by the fool things he says when in love. Many a young man buys flowers for an heiress merely as an investment.

When a man is intoxicated with love it is up to him to sign the matrimonial pledge. Nature never makes a mistake, but she sometimes leaves a job for the dressmaker to finish.

Starving dogs are always grateful to those who feed them. It is often otherwise with starving men.

At the age of 15 a boy usually quits running errands. He doesn't begin again until after he is married.

After getting a new dress made a woman always wonders how much material the dressmaker benevolently assimilated.

An old bachelor says that men and women who have sense enough to remain single ought to make sensible husbands and wives.

—Chicago News.

Toric Glasses Increase The field of vision. Chinn-Beretta Optical Co., 408 15th st.

Wooden Bedsteads. First class order, three dollars up, at Schellhaas' store, Eleventh street.

EMPIRE THEATRE Twelfth St., Near Broadway. VAN SLYKE AND CARLSON, Props. HIGH-CLASS VAUDEVILLE. NEW FACES. NEW ACTS. Change of Bill Weekly.

Admission, 10c. Matinee daily at 3:15. Evening performances at 7:45 and 9 o'clock. Extra shows Saturday, Sunday and holidays.

THOS. CHRELLIN, Pres. W. G. FALMANTER, Vice Pres. ANSON S. BLAKE, Cashier W. H. BUCHOLS, Second Vice Pres.

DIRECTORS: GEO. C. PERKINS J. W. PHILLIPS W. G. FALMANTER JOHN L. HOWARD W. A. PHILLIPS A. S. BLAKE JOHN A. BRITTON

THOMAS CHRELLIN C. D. PIERCE W. H. BUCHOLS

Checking Accounts invited. Interest Paid on Savings Accounts. Modern Safe Deposit Vaults.

Fourteenth and Broadway Oakland, Cal.

KAHN'S—The Always Busy Corner

SALE OF

Comforters and Spreads

Direct From the Manufacturers

Because we handle more of these goods than any other store—Because we can relieve makers of entire stocks, while otherwise they would have to "job" them out, which means lots of time, patience and quibbling, we gain greater concessions—and so, in turn, with impunity we quote "Direct from the manufacturer" at prices that cannot be met.

COMFORTERS—Silkoline covered, white filling, double bed size—GOOD DOLLAR FIFTY VALUE.

SPREADS—Extra weight, full size, double bed—DOLLAR FIFTY VALUE.

On Sale Friday Morning at 8:30—Not Before

See Washington Street Windows

98c ea.

See Washington Street Windows

Kahn Bros. THE ALWAYS BUSY STORE

Twelfth St. Toward Washington, Oakland

AMUSEMENTS.

Y LIBERTY PLAYHOUSE

PHONE MAIN 72 and 74. Introducing Bishop's Revolving Stage (Patented.)

Prices 25c 50c

ALL THIS WEEK! Mats. Sat. and Sunday

RUPERT OF HENTZAU

SEQUAL TO "PRISONER OF ZENDA"

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THOS. CHRELLIN, Pres. W. G. FALMANTER, Vice Pres. ANSON S. BLAKE, Cashier W. H. BUCHOLS, Second Vice Pres.

DIRECTORS: GEO. C. PERKINS J. W. PHILLIPS W. G. FALMANTER JOHN L. HOWARD W. A. PHILLIPS A. S. BLAKE JOHN A. BRITTON

THOMAS CHRELLIN C. D. PIERCE W. H. BUCHOLS

Checking Accounts invited. Interest Paid on Savings Accounts. Modern Safe Deposit Vaults.

Fourteenth and Broadway Oakland, Cal.

Now Thoroughly Heated.

PHONE THE OAKLAND TRIBUNE

MACDONOUGH

408 15th St.

Coolest Theater in Oakland.

TONIGHT TOMORROW

BLACK PATTI TROUBADOURS

40—REAL COLORED ARTISTS—40

Headed by the Greatest Singer of Her Race

BLACK PATTI

Presenting the Ragtime Opera

LOONEY—DREAMLAND and

20—Surpassing Spectacles—20

Hear Black Patti Sing "SUWANEE RIVER."

Gallery, 25c. Entire Balcony, 50c. Lower Floor, 75c.

Extraordinary Event

Saturday, Matinee and Night

JANUARY 7, 1905.

Waggoner & Kemper Present

Frederick WARD and KIDDER

In a stupendous scenic production of

Stanislaus Sanger's Great Play

SALAMMO

The Daughter of Hamlet

Founded on Flaubert's Famous Novel

Incidental Music by H. K. Hadley.

Scenery by Reid and Corbett. Costumes and Properties designed by Mrs. Seale of the Metropolitan Opera House New York.

PRICES—Matinee, 25c, 50c and 75c; Night, 25c, 50c, 75c, \$1.00 and \$1.50. SEATS NOW ON SALE.

Sunday Matinee Jan. 8

The Landelle of Laughter

YON Still the Favorite

YONSON

Presented by a Matchless Company

YOU ALL WANT TO SEE

The Funny Irish Widow Show.

The Lumber Camp in Midwinter

The Breaking of the Log-Jam

The Lumberman's Quartet

MATINEE—25c, 50c and 75c; Night, 25c, 50c, 75c, \$1.00 and \$1.50. SEATS NOW ON SALE.

NOVELTY THEATER

Broadway bet Eleventh and Twelfth Sts.

TONY LUBELSKI, Pres. and Gen. Mgr.

H. H. HOFFMAN, Resident Manager.

BEGINNING MONDAY, JAN. 2.

Entire Change of Bill Every Monday.

Out-Edge Vaudeville Show.

Matinee daily, at least two evening performances Admission, 10c; no Elkhart.

BELL THEATER

San Pablo Avenue, Opp. City Hall.

Handsome Vaudeville House in the West.

Vaudeville stars appear at all times. Change of bill every Monday.

ADMISSION 10c. Matinee daily. Extra performances on Saturday and Sunday.

RACING! RACING!

New California Jockey Club

OAKLAND TRACK

Commencing Saturday, November 12

Racing every week day, rain or shine.

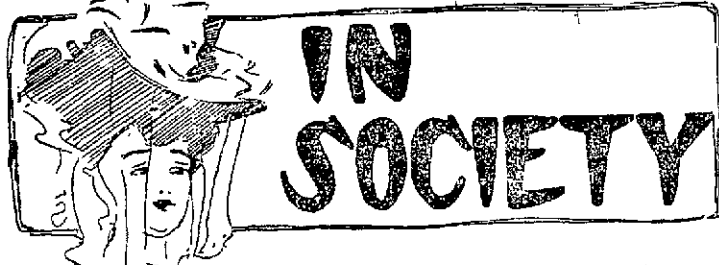
Races start at 2:15 p. m. sharp.

For special trains stopping at the track, take Southern Pacific Ferry, foot of Market street, 2:30, 3:15, 4:00, 4:45 and 5:30 P. M.

Returning trains leave the track at 4:10 and 4:45 P. M. and immediately after the last race.

THOMAS H. WILLIAMS, President.

PERCY W. TRENT, Secretary.



OAKLAND CLUB MEETS THIS AFTERNOON.

LINDA VISTA AND COSMOS CLUB TO MEET FRIDAY—INFORMAL AFFAIRS PLANNED.

The Oakland Club entertained this afternoon one of its most pleasant gatherings of the week at four with "Florentine Art." The program was under the direction of Mrs. A. J. Pillsbury and the numbers proved to be pleasing and instructive. Mrs. Henry Steere gave a clever talk on Donatello, and the papers on Savonarola by Mrs. H. Elliott Crane and that on Michael Angelo by Mrs. F. A. Lacey were equally interesting. After the literary program an informal hour was spent over the tea cups.

PLEASANT AFFAIR.

Miss Ethel Crandley was hostess at a pleasant New Year's party given Saturday evening at her home on Telegraph avenue. The house was brilliantly lighted and decorated with holly, red berries and clusters of mistletoe. Garlands of guillemots were festooned about the chandeliers.

After a game of whist supper was served and the young people who partied passed included Freda, Button, Angie West, Cecil Boyd, Nellie Eccleston, Myrtle Hall, Arthur Hughes, Miss Richardson, Harry Curston, Eugene Steward, Herbert Hilderbrand and Herman Rittigstein.

GUEST OF HONOR.

Mrs. Henry Abrahamson is planning an informal affair to be given next Tuesday afternoon in honor of her niece Miss Eva Magnus who leaves shortly for the East. Mrs. Abrahamson's home on Oakland avenue will be the scene of the gathering.

The guests are almost entirely the young girl friends of Miss Magnus and include Miss Alice Peres, Miss Madeline Weller, Miss Lucy Peres, Miss Tessie Magnus, Miss Jennie Magnus, Miss Alice Magnus, Miss Ruth Salinger, Miss Ada Coffey, Miss Minnie Coffey, Miss Estelle Kleinman, Miss Lillian Brilling, Miss Gertrude Jones, Miss Ruby Wolfson, Miss Virginia Furst, Miss Rose Scheeline, Miss Emma Scheeline, Miss Sadie Samuels, Miss Jessie Samuels, Miss Selma Hirschberg, Miss Carrie Jacobs, Miss Pearl Abrams, Miss Florence Siller, Miss Hazel Stein, Miss Helen Greenfield, Miss Melodie Levy, Evelyn Lewinson, Miss Cordie Wienenlander, Miss Alice Barrett, Miss Clara Meyer, Mrs. Jules Abrahamson, Mrs. E. Abrahamson, Mrs. H. Leis, Mrs. Rosalie Lebrecht, Miss Mabel Lebrecht.

COSMOS CLUB.

Mrs. E. G. Lukens will be hostess Friday afternoon at the first meeting this year of the Cosmos Club. The club is one of the oldest as well as one of the most congenial of local clubs and a pleasant reunion is anticipated.

NEW YEAR DANCE.

Grayson Hinkley was host at one of the most enjoyable of recent affairs, a New Year dance given at his home, Fruitvale. The house was beautifully decorated in the colors of the season and games and dancing made the evening very pleasant.

Among those present were: Miss Alice Albright, Miss Laura Haven, Miss Shelia Albright, Miss Helen Flax, Miss Edna Prather, Miss Reta Hunter of Alameda, Miss Ruth Sadler of Alameda, Miss Gladys Bingham, Miss Beulah Brignam.

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Mrs. Emma Weller. Curator.
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Dialogue: Der Tanz von Senst und Tetzt.
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2—Three Wise old Women. Baillif (a) Black-Eyed Susan. Schaefer (b) Where go the Boats. Fickenscher (c) The Beggymen. Taubert.

TUESDAY, JANUARY 17.
3:00 P. M.
FRENCH and GERMAN sections.
Mrs. W. B. Pheasant. Curator.
Mrs. Emma Weller. Curator.
Piano solo. Miss Maud Anderson.
Dialogue: Der Tanz von Senst und Tetzt.
Mrs. E. R. Hill and Mrs. Chas. T. Rodolph.
Sonata for violin. Mrs. E. R. Hill.
George Friedrich Handel.
Mrs. E. R. Hill and Mrs. Arthur W. Moore.
Address: Invasion of France.
The Fatherland. Dr. Fred G. Cottrell.

TUESDAY, JANUARY 24.
Program to be announced.

TUESDAY, JANUARY 31.
CHORAL SECTION.
Chairman. Mrs. Mary F. Jordan.
Program of Choral to be announced.
The Section will be assisted by Mr. James Madden of San Francisco, soloist, and the Harmony Quartette of San Francisco.

Luncheon Decorating Committee for January.
Chairman, Mrs. R. B. Thompson.
Mrs. Rupert Whitehead, Mrs. W. H. George.
Auditorium Decorating Committee for January.
Chairman, Mrs. E. S. Hubbard.
Mrs. John D. Eby, Mrs. S. A. Hackitt.

LINDA VISTA CLUB.

The next meeting of the Linda Vista Club will be held at the home of Mr. and Mrs. A. P. Coffin on Perry street Friday evening. The club is a new organization and the forthrightly meetings have been a long series of delightful evenings. The players Friday evening will include Mr. and Mrs. S. H. Hubbard, Mr. and Mrs. Samuel J. Taylor, Mr. and Mrs. Ernest A. Heron, Mr. and Mrs. Edward M. Vahle, Mr. and Mrs. John D. Eby, Edgar L. Dow, Mr. and Mrs. Ernest J. Coffin, Mr. and Mrs. James F. Wiegman, Mr. and Mrs. John A. Britton, Mr. William F. Kelley, Mr. and Mrs. George H. Ismond, Mr. and Mrs. Wallace A. Houts.

INFORMAL DINNER.

Mr. and Mrs. Ernest Folger entertained last evening at a dinner planned in honor of Mr. and Mrs. Le Grand Canon Tibbets and Mr. and Mrs. G. G. Lukens. The table was prettily decorated in red and green and a delightful hour was spent over the menu.

SPORTING NEWS OF THE DAY

MANY HORSES AT STANLEY WANTS
MEMPHIS. TO REMAIN.

PROMINENT SPEED-BURNERS
ARE AWAITING THE CALL TO
THE POST.

MEMPHIS, Jan. 4.—Never since its opening has Montgomery Park been so extensively occupied as a winter training grounds as at present. Memphis has become the gateway for those wishing to race at New Orleans and Hot Springs, and in many cases owners have left the major portion of their strings here while others were sent to the front. Still others, recognizing that the real season's racing begins with the New Memphis Jockey Club's Spring meet, have shipped their charges to Montgomery to await the bugle call.

At the park everything looks snug and comfortable. The track is in first class condition, and any morning one may see many of the turf world stars taking their morning exercise. There are about 250 horses now at the park, among the some of the really large and formidable racing stables of the West, if not of America.

BROOMSTICK LOOKS GOOD.
The most prominent of these in Eastern racing is the stable of Capt. S. S. Brown. The best known and largest winner of the string is Broomstick, the 4-year-old son of Ben Brush, winner of the Brighton Handicap, running a mile and one-quarter in 2:04 4-5, and beating Irish Lad, Highball Waterboy and Ort Wells. Broomstick is in fine fettle, looking fit and any day can be seen in the new forty-stall barn. In this barn, too, are two Tennessee Derby candidates, Agile and Broadcloth. Agile is the winner of two stakes, the Waldorf at Sheepshead Bay, worth about \$6,000, and the Sapphire stakes, worth \$2,000. Broadcloth is the winner of three stakes, the Manhattan Handicap at Morris Park, Undergraduate Stakes at Brighton, and the Adirondacks at Saratoga.

Capt. Brown won the Tennessee Derby last Spring very easily. It is this season he is to be hoped that he will capture the Tennessee blue ribbon. The stake will be more valuable than last season, its value approximating more than \$10,000 to the winner. This will have a tendency to make any one having a good colt eligible to this race prepare for it, there being few such valuable prizes offered in the West. Capt. Brown also has about the best looking lot of 2-year-olds of any stable on these grounds. These horses are in the charge of Robert Tucker, who had much success with the stable last season.

PAT DUNNE HAS BIG STABLE.
The barn close by stables the horses of Pat Dunne, whose colors have been carried by some of the noted horses of America. He has a stable of twenty-five or thirty head, the majority being yearlings, but has some useful older horses. Of these Devout and Air Ship are both eligible to the Tennessee Derby. Air Ship is a stake winner, and Devout seems to like the route and may develop into a Derby colt.

J. W. Schorr has nineteen head, a much smaller stable than he usually has in winter quarters, but having carried very good yearlings for the coming season. He has about six or seven head, and little is known of them, but he may have a really useful string of older horses. Moharbi, the Kansas City Derby winner, is a strapping big horse, and likely to make a good 4-year-old, and he looks well and is doing fine. Mr. Schorr also has Injunction and Janeway, both of which are doing well. Jack Lory and Uncle Charlie, his Tennessee Derby candidates, are both by To Gallant, the sire of Algon. It is well known that Mr. Schorr is very sweet on Jack Lory. It is said he refused \$20,000 for him last summer.

ELLISON HAS DERBY CANDIDATE.
Charlie Ellison has a division of his stable here, and has some nice looking yearlings that have worked well. He also has a Tennessee Derby candidate, John Smutski, who was about the best 2-year-old in Chicago last summer. Miss Inez is also here, and she may be a troublesome one in the Tennessee Oaks. The balance of his string is in the city at New Orleans.

S. C. Hildreth has a bunch of more than fifty head at Montgomery Park. The majority are yearlings. In this lot is a full brother to Dick Wells, and Ort Wells, that cost \$3,500. Among the older horses is the famous McChesney. With all, too, is here. She was raced all the way to the spring meeting at Memphis. Some of the yearlings may be raced at New Orleans and Hot Springs.

MR. ABE AT TELL
"EXPLAINS".

In response to a telegram to Abe Attell with reference to the charges of faking made by Promoter Haughton, of the West End Club, of St. Louis, against the principals in the first fight between Johnny Regan and Monte Altell the following explanation is made by Attell:

"The night of the fight Monte was sick and he and Regan were threatened with expulsion if they did not fight. It was for this reason that the agreement was made with Johnny Reid, Regan's manager, for a draw decision. Thomas Smith of St. Louis, who refereed the fight, concurred in the agreement, and said he would call the bout a draw if there was not too much of shade in favor of one fighter. That is about all there is to it. Monte was sick, and practically compelled for that reason to enter into the agreement."

Both Abe Attell and his brother are in Chicago, as is also Johnny Reid, Regan's manager. Telegrams have been sent them, and also to Referee Smith and Regan, who are in St. Louis, to the effect that they will be given an opportunity to defend themselves against the "faked" charge at a meeting of the directors of the club.

MATT WOULD RATHER PLAY IN
THE PACIFIC COAST
LEAGUE.

SEATTLE, January 4.—Matt Stanley is looking around town every day, but it cannot be said that he is particularly stuck on looking during the winter. Matt always likes to keep working, whether in a game of ball or during the off season. He has not heard a word from Spokane, he says. He is reserved by that team in the Pacific National League, and expects to have to go back there. He would rather play on this side, of course, for it is bigger league, with better salaries. He does not know who will manage the Spokane team next year.

Charley Kelly, who had the team last year, has been signed to manage Salt Lake next year. Just who will be in charge at Butte is problematical, but it would not be surprising to see old Honest Jim McCloskey whooping things up over there. John worked Boise to a finish last year, putting in a very expensive team in a water tank town, so he will be looking for a new berth next year. He made good in Butte and they think a lot of him over there.

FAVORITES FAIL
TO LAND.

AGAIN DOES BRONZE WING RUN
SECOND ON LOCAL
TRACK.

Only one favorite got first money on the local track yesterday. The card was a fair one.

In the first event Frank Pearce was forced into favoritism. Haven Run took the lead and looked like a winner, but Fox Elder came from behind and won by a neck. Pearce being a favorite.

Installed a favorite, Rowena had early speed, but failed to last it out. Barrock won with a spare.

The Chicago followers had the big bank roll up on the winner.

Hainault, a strong favorite, took the seven-furlong race. The Gaffly, at 20 to 1, drifted in second.

The tip was up on Red Cross Nurse, but she met with interference at the turn and was not able to get in the going again. Northwest beat Follow Me out by a neck.

Bronze Wing ran second again yesterday, being beaten out by Cousin Carrie by a neck. Albernath the favorite, showed up bad and ran in the rear division.

Although the going was supposed to be against him, Horvath beat out Brooklyn by a nose in the closing race of the day.

C. C. Caferly claimed M. A. Powell out of the third race for \$135.

Five favorites won at Ascot yesterday. Haven Run broke the track record for a mile and an eighth, doing the distance in 1:52 4-5.

The Feathers and the Syndicate bowled in the Syndicate inter-city tournament last evening on the Syndicate alleys, the Feathers winning two of the three games rolled.

The feathers were allowed a handicap of 75 pins for each game bowled, otherwise the match would have been won by the Syndicates, that team making the highest totals.

Following were the scores made:

FEATHERS.			
Brown	119	106	162
Birkell	119	102	140
Holmes	106	152	135
Keweenaw	192	170	129
Kunhardt	158	131	127
Totals	785	615	867

SYNDICATES.			
Gregg	155	244	101
Ricketts	171	176	138
Coburn	189	134	137
Carriger	142	131	194
Freeman	142	131	194
Carson	105	133	136
Totals	763	824	757

High scores on the Syndicate alleys were made by the following: B. Brann, 201-212; J. Donohue, 213-216; Dr. Merrill, 223; Carson, 204; Schriber, 219.

BOWLING TOURNEY
RESUMED.

After a week's rest the tournament at the Palace bowling alleys was resumed last night, the contestants being the Alerts and the Owls.

The Alerts were defeated, the Owls scoring 2323 to 2440. The Alerts had a handicap of 250 and the Owls 275. The scores were as follows:

OWLS.			
Leonard	189	151	166
Robraucher	149	166	163
Chubb	131	128	151
Trett	154	148	172
Stanley	179	155	168

ALERTS.
Crausank 184 175 124
Andrews 140 123 124
Cramer 140 123 124
Taylor 109 117 143
Johansen 151 123 124

Tonight the Young Eagles, fourth in the tournament, will bowl the fourth.



SKETCH OF JACK MUNROE, MADE UPON HIS ARRIVAL
AT OAKLAND WHEN HE CAME TO FIGHT JEFFRIES.
MUNROE AND JEFFRIES ARE ABOUT TO SIGN ARTICLES AGAIN.

Champion James J. Jeffries and Jack Munroe are about to sign articles.

Not for a fight, however, but simply an agreement to appear in the same show and box a few friendly rounds nightly.

Since Jeffries started out in "Davy Crockett" he has had several men in the part, but none of them have as yet been able to stand the gauntlet.

Billy Delaney, trainer and adviser of Jeffries, has long had Jack Munroe in mind as a sparring partner for the big fellow, and has wired Harry Pollock, Munroe's manager, in New York, asking for his terms for the miner's services.

Jack Munroe has had a conference with Pollock.

After a long talk between the two they mutually agreed that the proposition was a most beneficial one for Munroe as well as Jeff.

"You see," said he, "Jeff is a fine fellow, outside of the ring (with a smile as if of unpleasant memories), and if I should team up with him I will undoubtedly learn more boxing and fighting in a week than I otherwise would in a year."

It would also be a fine thing for him. The people who go to his show don't want to see him act. They can see better actors for the same money.

PEOPLE WANT A FIGHT.
"What they want is to see their idol strip and get into action with a man of his own size."

"They will willingly stand for three sessions of his acting if at the end they will be rewarded by seeing him punning me around for three rounds. I know it will be the hit of the year, and if the terms he offers me are suitable I will gladly hitch up at once."

"I have been taking first-class care of myself and am in fine condition. After a few months on the road, boxing nightly with Jeff, I will be open to meet any man in the world, barring Jeff, for any old kind of a fight."

Harry Pollock agreed with all that Munroe said. "It's all to Jeff and Delaney to offer reasonable inducements and Munroe is their man. From what I know of the show business, Jeff will coin money when he and Jack do three rounds every night," concluded Pollock.

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SOME BASEBALL POINTS FOR ALL
GOSSIP. BOWLERS.

WINTER DOINGS OF THE COAST
AND EASTERN PLAYERS.

"CONTROL IS THE WHOLE THING,"
DECLARES THE
EXPERT.

King Kelly, the utility man on the Sioux City team, has come to the conclusion after five years of professional ball in the Pacific Coast League and Western League as an in and out-felder, that he will go back to his original position behind the bat. Kelly's success as a catcher last season with the Sioux caused him to adopt this resolution.

Comiskey believes that a playing manager has larger influence over his players than a bench manager, for the reason that he is in action all the time with his men, and also stands the gaff with them.

Jack Pfeister has put his name to a 1905 contract and completes a fine staff of pitchers for Omaha, consisting of Quick Compston, Al Liebhardt, Saunders may also be on the Omaha team next year, but that is to be determined. Pfeister, Quick and Liebhardt played out here two years ago.

Manager Hugh Duffy of the Phillies says he will insist on all his pitchers except Sparks using an over-hand delivery next season. Sparks is a natural sidearm pitcher, but the others will do better work with an over-hand delivery. "This puts the jump on the ball which has been Kid Nichols' success," says Duffy.

Rube Waddell says he has a new trick for American League batters next year. He calls his new one the Overlin curve, and it is delivered with a fountain pen movement.

"I am a first class baseball player in every particular, a good stick, good fielder, quick on my feet, never make a muf, don't know what the error column looks like, and can always be depended upon to cover second base and an acre or so surrounding it. If you sign me you won't make a mistake."

"P. S. I can deliver the goods, and you don't want about that, but if you want me, you'll have to hurry. C. M. B."

Copies of this letter have been received by nearly every manager in the country. As no expense is to be spared to give Omaha a winning team, Manager M. Boucher is probably now packing his duds and inquiring the way to reach this city.

Hugh Jennings is practicing law in Boston. One of these days Hughie will forget himself and get back at court in his good old baseball way something after this manner: "Say, you cantankerous lobster, that's a rank decision. If you are not careful, I'll put the crowd onto you. We didn't come here to be robbed. See!"

It is reported that Manager Hall would like to sign Harry G. Mason to take Moller's place at second base. Gieson was substitute infielder on the St. Louis team in the American League last season. He does not rate with Moller as a fielder, hitter or base runner.

Manager McCredie, of Portland, is seriously thinking of shifting Spencer from second to the outfield. Spencer is a youngster of more than ordinary promise and as soon as he can improve his hitting he will be fast enough for any club. In light place, last season he would sometimes fall down, but it should be remembered that he was new to the fast company, and therefore more or less nervous. Spencer was one of the fastest men in the league going down to first base. If he can learn to hunt successfully he will beat out many a hit. McCredie will do well to cultivate this young player.

Wild Bill Donovan, one of the pitchers of the Detroit team, has signed a contract for \$1,000 less a salary than he got last season. Maybe that is one of the reasons Jack Stovel does not care whether he goes back to the big league next year or not. Jess told the writer the other day that he would rather play on the coast than go back to the American league, for he could do better in a financial way out here.

There is a rumor that the Little Rock line in the big leagues, and war time salaries will not go any more. Some of the boys will not be anxious to break into the "big brush" when they find they will have to work for less money there than if they stayed in the minors.

Bill Hurley may play in the American Association next year. Mickey Finn, who handled the Little Rock Club last year, will manage the Toledo team next season, and he will go with him. Bill belongs to Little Rock, however, and as Dale Gear, the manager of that team, used to play on the lots with Bill around Kansas City, he wants the scrappy Little Rock with him. Between the two, Bill is not working about a job next year. He would rather play in

BERKELEY SUBURBAN NEWS UNIVERSITY

SCHOOL BOND ELECTION TO BE CALLED.

Directors Decide to Place \$150,000 Proposition Before Voters of Berkeley.

BERKELEY, Jan. 4.—The schools of Berkeley are to be improved and enlarged by the expenditure of \$150,000, if the citizens ratify their Board of Education as taken last night, when that body formally decided to issue a call for a bond election, at which the proposal to spend \$150,000 for new schools will be passed upon by citizens of Berkeley.

The Board of Education held its regularly semi-monthly session last night, following the adjournment of the Board of Directors. Present, Messrs. Sutherland, Schmitt and Donohue. Director Volk acted as chairman.

After full consideration of the committee's report in the matter of calling a bond election for the election for the issuing of bonds with which to build new school buildings, it was decided by the board to call an election for the issue of \$150,000 of bonds.

The action is the sequel to a long series of conferences of committees and the board itself, on the subject of providing for the facilities of the school department.

Superintendent of Schools S. D. Waterhouse has consistently advocated the erection of new buildings in districts where the schools are overcrowded and the school board has backed him up in his campaign for such needed improvements. The only question has been as to the advisability of taking action in advance of the Town Trustees, who have been contemplating calling a bond election for various municipal improvements. Various things served to prevent speedy action by the Town Trustees, however, and two weeks ago the school board decided to act independently of the Trustees in the matter.

Town Attorney Hayne was asked for an opinion regarding the legality of this proposed move and he reported to-night that he had conferred with District Attorney Allen. The latter's opinion is that the board has the right to call a bond election.

In order to assure the legality of each step, the District Attorney will be given all the data which the board uses to-night, in the shape of plans for proposed school buildings, sites, election officers, polling places, and minor details. All of these will be passed upon by him, and in accordance with his advice the formal call will be prepared and printed.

REPORT ADOPTED.

The report of the committee which was adopted contained the following provisions, to be provided for by funds obtained from the sale of bonds:

To erect a brick school building of six rooms at the corner of Grove street and Bancroft way, also to pay for the removal of the present school building to California and Ward streets.

To erect a brick school building of

in their behalf were of doubtful value. The communication was ordered placed on file.

DR. WOOLSEY'S BILL.

The board received the opinion of Town Attorney Brewster A. Hayne, in the matter of paying a bill of \$400 presented by Dr. R. J. Woolsey for vaccinating school children of Berkeley in accordance with the law requiring such a vaccination. He said that the Auditor had refused to audit Dr. Woolsey's bill but he thought that, in equity, the bill ought to be paid to the persons who had been vaccinated. To secure payment was to bring suit and mandamus. The Auditor and he thought the board should consider the matter in such shape that a test case might be made by Dr. Woolsey. He explained that the law required that when a person's services are regulated by any municipal body, such services are to be paid for in accordance with the procedure observed by private persons under similar conditions.

It was the opinion of Director Schmitt that Dr. Woolsey's bill was too large, and that the charge of \$400 was exorbitant for the work performed. He favored paying what he called a "just bill."

The clerk was directed to request of Dr. Woolsey an itemized bill, and that further action should be taken by the board.

CHANGES OF TEACHERS.

Several changes were made in positions of teachers in the Lincoln school. Miss Rita Weymouth was given a new class, and Miss Bleh, Miss Jones and Miss Robins were assigned to new classes. The principal of the McKinley school was authorized to make several changes in his teacher's conditions.

BILLS ORDERED PAID.

The following bills were ordered paid: R. Moore, \$24.40; A. Erdmann, \$4.00; Sunset Telephone Company, \$36; Joseph McClain, \$4.30; H. W. Taylor, \$1.07; W. R. Bond, \$10.55; C. S. Merrill, \$35; Berkeley Delivery, \$11.40; F. W. Frazier, \$4.82.

Applications for positions were received and placed on file from Miss Lulu I. Scott, Miss Agnes Wiley, Miss Bertha Wiley and Miss Edith Wiley.

If the bonus carry, the brick school building at Grove and Bancroft way will be the first brick grammar school erected in Berkeley. The board already owns a lot on this corner, 150x300 feet.

The building on Russ street is most strongly favored by the board as that section is the most rapidly growing in Berkeley.

CLAIM REMAINS.

MOUNT CLEMENS, Mich., January 4.—After lying two years in the Pottery Field while relatives clamored for a division of his property, the remains of John May, a somewhat eccentric and well-to-do citizen who lived here forty years, are to be re-interred in a suitable cemetery lot and a monument appropriately inscribed is to be set up at the grave. The attendant exhumers are to be taken from the considerable estate left by the deceased.

Probate Judge Knight some time ago notified the claimants that the property would be divided until the remains of the deceased had been re-interred in accordance with his circumstances in life.

After waiting in vain for the relatives to act upon his suggestion, Judge Knight finally ordered the administration of the estate to purchase a lot and monument and proceed with the re-interment.

IS LEFT HOMELESS

Charles Atwood's House Destroyed--Pathos of Affair.

BERKELEY, January 4.—To be deprived by the fire fiend of his home and household goods, left without house or furniture, with six children and a wife to care for, was the fate last night of Charles Atwood, a child-raiser residing at Allston way near the Santa Fe Railroad track. His home was completely destroyed by fire last night, at about 10 o'clock. Nothing of building or contents could be saved.

Atwood was at an Oakland theater, with his entire family when the fire broke out. He had left a lamp burning in the house, and it is supposed the fire was caused by an explosion of the lamp, or the igniting of draperies near his chimney.

It was feared when the fire first was discovered that some of Atwood's six children were sleeping in the house. Neighbors who knew of his large family supposed that some of them perhaps had been left at home when the parents left for Oakland, and so attempts were made to break into the house before the flames had gained complete headway, and to rescue any human being the cottage might contain.

Captain Verry, residing at Allston Way and Bonar street, made a sally with two of his daughters into the burning building, standing in the door with an ax. The smoke poured from the place, however, blinding and choking them, so that they were obliged to desist and leave the dwelling to its fate, and also the youngsters they feared were in the house.

Before the flames had died away Atwood returned. His six children and his wife were with him. He said that there was no insurance on either the dwelling or its contents. He was homeless and so were his family of six little ones. Arrangements were made to house them for the night with neighbors.

Atwood was formerly a section foreman for the Santa Fe. His section house was burned last March, at Holt,

HONOR FOR PHYSICAL CULTURE.

Work of University Student Recognized By Writer in East.

BERKELEY, January 4.—Pleasure is felt by friends of Professor John C. Merriam, head of the paleontology department at the State University, in the recognition accorded his scientific discoveries by Professor Osborn, of the Columbia University, in the latter's notable account on "Fossil wonders of the West," which the "Century" has made a feature in its current number.

In 1895 an expedition from the University of California, under the direction of Professor John C. Merriam, discovered in the Triassic under the shadow of Mt. Shasta, in the Sierra Nevada, the fossil of a new sea reptile. Its discovery added another link to the chain forged by scientists, who have in the chain traced the development of the ichthyosaurus from a land living lizard to a great sea reptile.

Professor Merriam's discovery is evidently considered by Professor Osborn, author of the magazine article, to be most important, as it is used to introduce the article and gives special prominence in the account of discoveries related to it in other parts of the world.

STATE BOARD MAY USE

Prof. Magee's Methods For Schools.

BERKELEY, January 4.—So successfully have been the results following the use of Professor Walter Magee's "Progressive Lessons in Physical Culture" in the San Francisco public schools that the books will probably be adopted by the State Board of Education for use in the schools throughout the State. Professor Magee, who is physical culture director at the State University, has personally supervised the work in the San Francisco schools and has formulated his exercises set forth in his pamphlets from personal experience.

The exercises set forth in the books are adapted to the needs of the first, second, third, fourth, fifth, sixth, seventh and eighth grades. Professor Magee is now at work on some texts for use in the high schools. The matter of their adoption by the State Board will be taken up at its next meeting.

MAKE TEST OF WHEAT.

Professor Wickson Will Examine Grain For Gluten.

BERKELEY, January 4.—Believing that California wheat has been unjustly represented by the San Francisco Board of Trade and other commercial bodies which have taken up the State board's statement that the wheat grown in this State does not contain as much gluten as that grown in other parts of the country or of the world, Professor E. J. Wickson of the Agricultural department of the University has begun a series of investigations which he thinks will disprove the statements referred to.

Professor Wickson left for Redding last night, where he will meet wheat growers and discuss with them methods of wheat raising. He will procure samples of their grain, which he will examine at the University laboratories.

It is the professor's intention to deliver several addresses at informal meetings of the farmers, at which the farmers will also speak, telling of the problems encountered by them in their work of wheat growing.

Preliminary experiments made by Professor Wickson, in an attempt to ascertain the amount of gluten in the wheat, have convinced him that California wheat is not deficient in gluten. His complete examination is expected to demonstrate conclusively the correctness of his belief.

SKATING ENJOYED.

NEW YORK, January 4.—Skating is general in the suburbs and the frost is the most severe in many years, says a Paris dispatch to the Herald. The streets were sheathed with ice on Tuesday and the cab service in a great measure was suspended.

The air was filled with sleet and the fountains are frozen. A heavy snow fall is threatened and there is no immediate prospect of milder weather.

Wintry conditions in Middle and Western Europe are extraordinary. The blizzard in Switzerland was the fiercest since 1875. Sunday and Monday were the coldest days with one exception, for forty years.

HAYWARDS, SAN LEANDRO, EMERYVILLE, FRUITVALE, GOLDEN GATE

GOLDEN WEDDING OF MR. & MRS. JOHN DICKSON.

Alameda Couple Celebrate the Fiftieth Anniversary of Their Nuptials.

ALAMEDA, January 4.—A very happy affair and an event of unusual interest, was the celebration last night at their residence, 1528 Sherman street, of the golden wedding anniversary of Mr. and Mrs. John Dickson, who for twenty-six years have made this city their home, and are highly esteemed by many friends here and in Oakland.

The old couple, who have known the felicity of fifty years of wedded happiness, were showered with congratulations, there being four generations of the family represented.

Mr. and Mrs. Dickson were given a genuine surprise, the celebration in their honor being arranged during their absence in Oakland. The evening was spent very enjoyably, and a supper was served. Mr. and Mrs. Dickson were the recipients of many handsome gifts.

The marriage which was to lead to a half century of marital bliss occurred on January 3, 1855, in Chatham, Canada, when Miss Anna Shepley became the bride of John Dickson. Mr. Dickson came to California in 1862 and six years later was joined by his family, when they took up their residence in San Francisco. In 1878 they came to this city to reside, and have since made their home at the family residence on Sherman street, which, from the number of weddings which have been solemnized there, has become known as the rendezvous of Cupid.

The two great-grandchildren represented at the festivities at the Dickson residence last night, Kenneth Edwards Ward, son of Captain and Mrs. Louis T. Ward of this city; and Donald Livingston McDonald, son of Mr. and Mrs. William McDonald of Oakland. Among those present were: Mr. and Mrs. John Dickson, Mr. and Mrs. J. W. Hanks, Mr. and Mrs. John Tretheway of Oakland, Mrs. Helen V. Holt, Mr. and Mrs. S. A. Burrell, Captain and Mrs. Louis T. Ward, Edgar D. Hand, Mr. and Mrs. William McDonald, Miss Edna Tretheway, Miss Phyllis Holt, Mrs. V. Hanks, Roy T. Hand, Mr. and Mrs. George Sturtevant, Mr. and Mrs. H. R. Taylor.

FOWLER DEPOSED.

ALAMEDA, January 4.—James Fowler is no longer Deputy Coroner for Alameda, a position he has held for nine years. His appointment was revoked by Coroner Henry B. Mehmman, to take effect yesterday and Captain A. Perkins Smiley and Hugh C. Gallagher, have been appointed deputies to succeed him. Fowler had been a deputy under Coroner Mehmman for six years and held the same position under

Parkhurst and Miss Belle Garrette have returned after a protracted tour of the Eastern States.

Randolph Weinmann, a student at Stanford University, is spending the holidays with his parents at their home on Chestnut street.

Rev. William Newman, Guthrie, rector of Christ Episcopal Church, has gone to the Eastern States, where he will make a lecturing tour of six weeks. During his absence the boys' class at the church is to be led by Mr. Bruce Wright.

William Sherrard and family have moved from 1120 Union street to 1831 San Jose avenue.

Congressman Joseph R. Knowland, whose departure for the East was delayed a few days owing to the fact that he had contracted a severe cold, left for Washington Monday morning.

WEEK OF PRAYER IN CHURCHES.

DEVOUT WORSHIPPERS ENGAGE IN SPIRITUAL SERVICES.

BERKELEY, January 4.—Each of the daily services held afternoon and night at the Congregational and Christian Churches, in connection with the week of prayer, has been attended by large and attentive audiences and the ministers composing the Berkeley Federation of Churches express their satisfaction in the interest displayed.

At the service this afternoon, in the First Christian Church at Dana and Bancroft way, the topic was: "Prayer or the Pupils in our Sunday Schools," the leader being Rev. R. S. Eastman.

Tonight Rev. W. H. Hopkins will speak in the Congregational Church, of which he is pastor, on: "The great salvation, as related to the Spirit, the Comforter."

The services will be continued tomorrow and Friday afternoon and evening. The results are expected to quicken religious life in Berkeley, and to add to the strength and number of the churches' constituents.

FOUR INJURED BY DEAD BODY

WALLACE, Idaho, Jan. 4.—While descending in the cage at the Standard mine to-day the coat of G. T. Farley, a miner, caught in the timbering, drawing him between it and the cage and breaking every bone in his body. When the cage passed his lifeless body was released and fell with great force among other miners occupying the cage. Four of them were struck and seriously injured by the falling body.

CAN MAKERS STRIKE.

CHICAGO, Jan. 4.—Six hundred can makers in the employ of Armour & Co. and many other New England companies have gone on strike on account of a notification that their wages would be reduced five cents per hour.

PERFORMANCE TO BE REPEATED.

"ESMERALDA" WILL AGAIN BE GIVEN BY FRUITVALE AMATEURS.

FRUITVALE, Jan. 4.—The performance of "Esmeralda" will be repeated next Monday by special request. It will take place at the Armory, corner of Sixteenth street and Fruitvale avenue. The amateurs who present the production are all residents of Fruitvale and members of the Congregational Church.

Their performance last Friday showed the great talent and was very successful.

The cast of characters in the play is as follows:

Old Man Rogers, a North Carolina farmer, E. E. Bryant; Lydia Ann Rogers, his wife, Miss Hand; Webster, Esmeralda, their daughter, Mrs. Daniel Crosby; Dave Hardy, Spencer Riley; Estabrook, P. Howard Seely; Jack Desmond, an artist, Harry Fletcher; Nora Desmond, Elsie Marvade; Kate Desmond, Mrs. F. Howard Seely; George Drew, a mining speculator, George Steele; Marquis de Montessini, an adventurer, Harry Fletcher.

LODGE MEETING.

The Fruitvale Odd Fellows held their regular meeting last night in Blackman's hall. The lodge quarters have been lately changed from the Masonic hall.

TO BUILD LAKE.

NEW YORK, Jan. 4.—Contracts have just been awarded for the construction near Princeton, N. J., of an artificial lake four miles long to be used principally as a routing course for the university students. A number of wealthy men contributed to the fund for building the lake which will have a uniform depth of eight feet, will be formed by damming the Delaware at the point where it enters the Delaware and Raritan Canal.

MELLIN'S FOOD

FOR INFANTS AND INVALIDS

If you want your baby to grow and be strong, healthy and happy, use Mellin's Food.

20 beautifully printed pages of helpful hints about "The Care and Feeding of Infants," bound in cloth, will be sent you free if you ask for it.

MELLIN'S FOOD CO., BOSTON, MASS.

WILL BE TEST CASE.

WARRANT ISSUED FOR ARREST OF P. CARLSON, A BERKELEY PEDDLER.

BERKELEY, Jan. 4.—A warrant for the arrest of P. Carlson, a vegetable peddler, charged with doing business without a license was secured in Judge Edgar's court yesterday. It is proposed to make a test in Carlson's case of the ordinance requiring all peddlers to pay a license of \$15.00 a quarter. Carlson was arrested and tried for this offense three months ago and convicted in Judge Edgar's court. He appealed to the Superior Court and Judge Ellis found the complaint defective, thus throwing the case out of court. All the proceedings are to be begun over again now and Carlson's arrest to-day is the first step therein.

FOOTBALL GAME IS ORDERED OUT OF TOWN.

HAYWARDS ELEVEN AND NEW CENTURY TEAM CONTEST TO A TIE.

HAYWARDS, Jan. 4.—An exciting game of football occurred here Monday afternoon. The Haywards second eleven played the "New Century" team of Twenty-third avenue, Oakland. The game was a tie, each side making five points. The average weight of the players on both sides was 140 pounds.

Harley, the Haywards right tackle, made a spectacular touch-down in the first half. He ran around the left line without being tackled. Owing to the poor position of the touch-down, Strenzi, the quarterback, failed to kick a goal. The visitors also scored in this half.

The second half was a round of stubborn line bucking and obstinate resistance. The ball remained near the center of the field. Only toward the end of the time did the backs begin to punt. Ed, Stenzel performed his part of the work with credit to himself and to the team. Praise is also due J. Turner for fine play.

A larger crowd than usual was present. The field was in fine condition and the players at their best. Jos. Soares, an old football player, was umpire.

PERSONAL.

Yesterday Mr. and Mrs. B. H. Rivers left for New York. He is in the office of Wells, Fargo & Co., and has been transferred from the San Francisco department to New York.

Last month a reception was given Mr. and Mrs. Rivers at the studio of Miss A. Ostermiller by the members of the Haywards Literary Club, of which Mrs. Rivers was the president.

A large number of the couple's friends escorted them to the station yesterday.

Judge Frowse made a business trip to Oakland yesterday.

Mr. and Mrs. J. W. Burge are expected home from Los Angeles this week. They have been visiting Mrs. Burge's father.

MARRIAGE LICENSES.

The following marriage licenses were issued by the County Clerk today:

Perceval G. Jacobus Jr., Oakland, 23
Alice M. Olney, Pleasanton, 24
Wilford Callau, S. F., 24
Rosa Song, S. F., 21
Lawrence L. Gallagher, S. F., 29
Lena Thomas, S. F., 19
John Courdet, Oakland, 40
Josephine Mongalaz, Oakland, 35
Henry A. Gamble, Stockton, 35
Ella Bowman, San Francisco, 27
Charles H. Blair, Colma, 23
Mary A. Woodbridge, Berkeley, 23
Henry J. Waugh, Ukiah, over 21
Atha M. Rice, Oakland, over 18
Philip Dunaj, Oakland, over 21
Lilly Phulson, Oakland, over 18

YOUTH IS ARRESTED AND FINED FOR HIS ROWDY ACTIONS.

SAN LEANDRO, Jan. 4.—A young man giving his name as Joe Bush, was arrested at three o'clock Monday for improper actions on the street. He was intoxicated and Marshal Geisenhoffer left him in the town jail to sober up. The marshal then went to Judge Black and swore out a warrant.

The prisoner was brought to the Justice's court to answer the charge. He pleaded guilty and was fined \$10, with the injunction to leave town within 30 minutes. He went immediately, with three of his cronies, who had been drinking beyond their capacity. They said that they lived in Alameda. They, with two others, had been hanging around town all day, drinking at various saloons.

A. W. Harbert spent New Year's day in Oakland as the guest of Dr. Shirk.

Mrs. Church made a pleasure trip to Oakland Monday.

Work was commenced on the asphalt crossings ordered by the trustees at the meeting two weeks ago. The crossings are at the apex of the plaza across Haywards and San Leandro avenues. Superintendent of Street by Geisenhoffer, has the work in charge. It will probably be completed tomorrow.

A handsome branch of large red raspberries was displayed by Jack Harbert at the Express office this week. He has a large number of the plants, which give fruit all winter.

Mrs. S. B. Force left Tuesday morning with her daughters Helen and Dorothy to visit friends in Niles for a few days.

NEW MEMBERS.

At the Merchants' Exchange meeting last evening the following names were added to its membership:

E. C. Pender, F. W. Waite, August London, Curtis Wright Jr., Robert Vincent.

"HAPPY NEW YEAR"

Is a very familiar greeting, but none can be happy without health? No! then our greeting is twice welcome because we also offer you a medicine that will positively restore you to health and happiness, namely, Hostetter's Stomach Bitters. It never fails in cases of indigestion, Dyspepsia, Flatulency, Heartburn, Insomnia, Chills or Colic. Try a bottle; also get a free copy of our 1905 Almanac from our Druggist.

HOSTETTER'S STOMACH BITTERS.



DIVIDEND NOTICES

FARMERS' AND MERCHANTS' SAVINGS BANK.
A dividend has been declared to depositors for the six months ending December 31st, 1904, at the rate of three and twenty-five one-hundredths (3.25) per cent per annum on all savings deposits payable on and after January 2d, 1905. Dividends not called for are added to and become a part of the principal as the principal matures from January 1st, 1905.

DIVIDEND NOTICE.
CENTRAL BANK OF OAKLAND, CAL.
 A dividend has been declared to savings depositors for the six months ending December 31, 1904, at the rate of three and one-quarter (3.25) per cent per annum on all savings deposits, payable on and after January 3, 1905. Dividends not called for are added to the principal and bear the same rate of dividends as the

principal from January 1, 1905.
ANSON S. BLAKE, Cashier.

DIVIDEND NOTICE.

**SAN FRANCISCO AND SUBURBAN
HOME BUILDING SOCIETY.**

Fifth floor, Mutual Savings Bank Building,
705 Market street, opposite 3d street
for the half year ending December 31,
1904, a dividend has been declared at the
rate per annum of ten (10) per cent. on
capital stock and participating certificates.

after Monday, January 2, 1906.
JOSEPH A. LEONARD, Manager.
J. M. DUKE, Secretary.

DIVIDEND NOTICE.

The Oakland Bank of Savings, Oakland,
 Cal.
 For the six months ending December 1

1904, a dividend has been declared at the
 rate of three and a quarter (3.25) per
 cent per annum on ALL savings ac-

W. W. GARTHWAITE, Cashier.

DIVIDEND NOTICE.

HOME SECURITY LOAN SOCIETY.
463 1/2 South St. (former) 1110 Broadway.
A semi-annual dividend for the term
ending Dec. 31, 1904, has been declared
at the rate of five (5) per cent per annum
on paid up stock deposits (Class C). payable
on or before Jan. 1, 1905.

able on and after Jan. 15, 1903
By order of the Board of Directors,
CHAS. P. HOAG, Secretary.
468 11th St.

MEETING NOTICES.

ANNUAL MEETING.

ANNUAL MEETING OF STOCKHOLDERS UNION NATIONAL BANK.
The thirtieth annual meeting of the

stockholders of the Union National Bank of Oakland, California, will be held at the office of the corporation, northwest corner of Twelfth and Broadway streets, Oakland, on Tuesday, January 10, 1904 at three o'clock P. M.

THOMAS PRATHER,
President.

C. E. PALMER,
Cashier.

Dated, Oakland, Cal., Dec. 6, 1904.

STOCKHOLDERS' MEETING.

The regular annual meeting of the Stockholders of the Central Bank will be held at the office of the corporation in the building known as the "Bancroft" building, situated at the northeast corner of Broadway and Fourteenth streets, in the City of Oakland, on Tuesday, the tenth day of January, A. D. 1905, at the hour of 3:30 o'clock P. M., at which time a Board of Directors will be elected to serve for the ensuing year or until their successors are elected and qualified, and such other business will

transacted as may properly come before the meeting.

ANSON S. BLAKE, Secretary.
W. G. PALMANTEER, Vice President.

ANNUAL MEETING

The Union Savings Bank, Oakland, Cal.

The annual meeting of the stockholders of The Union Savings Bank of Oakland, California, will be held at the bank.

house, northeast corner of Broadway
Thirteenth streets, Oakland, Cal.,
Tuesday, January 10th, 1905, at
o'clock P. M.
A. E. H. CRAMER, Cashier.

ANNUAL MEETING.

THE UNION SAVINGS BANK, OAKLAND, CAL.

The annual meeting of the stockholders of The Union Savings Bank of Oakland, California, will be held at the Bank

house, northeast corner of Broadway a
Thirtieth streets, Oakland, Cal.
Tuesday, January 10, 1905, at two o'clock
P. M. A. E. H. CRAMER, Cashier.

ANNUAL MEETING.

THE OAKLAND BANK OF SAVING
OAKLAND, CAL.

The annual meeting of the stockholders of The Oakland Bank of Savings, Oakland, California, will be held at the banking house, northeast corner

et c.
Broadway and Twelfth streets, Oakland, Cal., on Monday, January 5, 1905, at 10 o'clock p. m.

I. L. REQUA, President

ANNUAL MEETING.

FARMERS AND MERCHANTS SAVINGS BANK OF OAKLAND, CAL.
The annual meeting of the stockholders of the Farmers and Merchants Savings Bank of Oakland, California, will be held

at the office of the corporation, No. 1 Broadway, Oakland, California, on Tuesday, January 10, 1905, at 10 o'clock a.m.

GEO. S. MEREDITH, Secretary.

ANNUAL NOTICE.

The annual meeting of the stockholders of the Oakland Trust Company will be held at the office of said company, on the northwest corner of Franklin and Thirteenth streets, Oakland, Cal., on Thursday the 5th day of January, 1905, at 3 p.m.

o'clock P. M., for the purpose of electing a Board of Directors for the ensuing year, and for transacting such other business as may legally come before them.

CHARLES H. JONES, Secretary

ANNUAL MEETING NOTICE.

In pursuance of a resolution adopted by the Board of Directors of Evergreen Paper Association at a regular meeting held at the City of Portland, Oregon, on the 10th day of December, 1914, the following is hereby published:

ing of said Board, held at the office the
of on the 17th day of December, 1904,
recting the Secretary of said Board to
publish notice of the annual meeting
the members of said Association, not
is hereby given that the annual meet-
ing of the members of Evergreen Ce-
tery Association will be held on
19th day of January, 1905, at 10 o'clock
in the forenoon, at the office of
Association, rooms 276 and 277, Es-
Block, Oakland, California.
of on the 18th day of December, 1904

ANNUAL MEETING.

The regular annual meeting of the Mountain View Cemetery Association will be held in the parlors of the Central Bank, northeast corner of Fourteenth and Broadway, Oakland, California, Wednesday, January 11th, 1906, at 2 p. m.

H. N. P. LUND, Secretary Pro Tem

PROBATE NOTICE.

In the Superior Court of the County of Alameda, State of California.

In the matter of the estate of E. B. Reilly, both deceased, formerly Elizabeth Reilly, also known and described as Lizzie Reilly, and also known and described as Lizzie Reilly, deceased.

Notice is hereby set for proving will, and for the purpose of admitting to probate the will of Elizabeth Reilly, and also known and described as Lizzie Reilly, deceased.

Notice is hereby given that a petition for the probate of the will of Elizabeth Reilly, also known and described as Lizzie Reilly, deceased, has been filed in the Superior Court of the County of Alameda, State of California, and that the same will be heard at the probate court of said county, on the 10th day of March, 1910, at 10 o'clock in the forenoon.

Witness my hand and the seal of said court, this 10th day of March, 1910.

J. H. H. H. H.

Bettencourt, formerly Elizabeth Red also known and described as Lizzie Red and also known and described as L. A. Redley, deceased, and for the issuance of a writ of habeas corpus in favor of Mame! J. Bettencourt of letters testamentary thereon has been filed in said Court, and that Friday, the 13th day of January, A. D. 1905, at 10 o'clock A. M. said day, at the Court Room of De Kalb County, Ga., the said Mame! J. Bettencourt, No. 4 of said Court, the Clerk of said County of Alameda and the Clerk of said County of Alameda has been set for the purpose of a confirmation and proving of said letters testamentary.

JOHN F. COOK, Clerk
By A. A. Rogers, Deputy Clerk.
JOHN J. McDONALD, Attorney for
Plaintiff, 36 Broadway, Oakland, Cal.

CONTRA COSTA WATER COMPANY MAKES A PROPOSITION TO THE CITY.

Offers to Submit the Question of Valuation to the Courts—Will Waive Any Question of Superior Use As Between the City and the Company.

The proposition of the city of Oakland to buy a municipal water supply took a new turn last night when the Contra Costa Water Company submitted an invitation to the Council to condemn its property for public use and allow the courts to determine its value.

The proposition of the Contra Costa Company was inspired by a resolution presented by Councilman McAdam at the last meeting of the Council in which it was requested that a price be put on the plant.

The communication of the Contra Costa Water Company is given in full below.

The Bay Cities Company which is attempting to sell to the people of Oakland a plant did not have a specific contract ready last night to present for the consideration of the City Attorney but asked that there be a special meeting of the Committee of the Whole of the Council on Friday night next to consider such proposition. The request was granted.

The only other important move taken by the Council relative to the water question was the adoption under a suspension of the rules of the following resolution, which is the preliminary step toward calling a bond election:

"Resolved, and it is hereby determined by the Council of the city of Oakland, that public interest and necessity demand and require the acquisition, construction and completion by the city of Oakland of a system of water works for the purpose of supplying the said city and its inhabitants with water; and that the cost of such a system of water works, in addition to the other expenditures of the said city, will exceed the income and revenue provided for in any one year, and will be too great to be paid out of the ordinary annual income and revenue of the said municipality."

At this juncture Councilman Howard wished to know of the City Attorney if the time for calling the bond election during the present life of the Council was not rapidly growing short.

"After you have received the Bay Cities proposition," said Howard, "you will have to investigate the titles and the legal status of the entire affair will you not?"

City Attorney McElroy—Yes, I presume I will.

Howard—Did you not inform the Council that it would be necessary to rush matters if the election was to be called by the first of March?

McElroy—Yes.

Howard—Well if we spend much more time in fooling with this contract the time will be passed.

Councilman McAdam then introduced a resolution calling on the Bay Cities Water Company to tell just what it is going to sell the city of Oakland for the \$3,750,000 it would receive from the city for bringing water to the city limits.

The resolution was as follows, and was referred to the Committee of the Whole which will meet next Friday night:

"That the Bay Cities Water Company be and it is hereby requested to furnish this Council with the valuation of each of the following items that have been included in a grand total by the said company for the purpose of supplying the city with water:

"Land area therefore, pipe lines, pumps, reservoirs, dams, water rights, etc. The said estimate to be itemized as much as practicable for the purpose of knowing what the \$3,750,000 for bringing water to the city limits will be expended for."

Councilman Pendleton wished to know the purpose of the resolution.

"I do not know just what we are buying," said McAdam, "I propose to find out."

Pendleton—When you go into a store you do not ask what every component part of an article is worth. You buy the entire article at a certain price.

McAdam—Yes, but in this case I want to know just what I am buying. The resolution was referred without further discussion to the Committee of the Whole.

THE LETTER.

The full text of the Contra Costa Water Company's letter to the Council is as follows:

"San Francisco, January 3, 1905. To the Honorable the City Council of the City of Oakland, Gentlemen: I am instructed by the Directors of the Contra Costa Water Company to acknowledge receipt of a letter, bearing date December 30, 1904, enclosing a copy of a resolution adopted at its meeting, held on the 29th day of December, 1904.

"The resolution is in the following words:

"Resolved that the Contra Costa Water Company be and it is hereby requested to furnish to this Council a valuation of its plant for the purpose of presenting the same to the voters of the city of Oakland for their acceptance or rejection, provided that the same shall not be submitted if the valuation of the plant of said company shall be deemed excessive by this Council, said proposal to be filed on or before January 3, 1905, and to be satisfactory in its legal features to the City Attorney, and to be submitted by properly authorized agents of the company."

"My employment by the Contra Costa Water Company followed the publication of the article prepared by me, and published in two of the afternoon papers of this city on the 28th day of December. Since that time I have not had opportunity to confer with many

of your members, nor to discuss the unfortunate condition of affairs now existing. It would be useless to expect, at once, to remove misunderstandings. So far as it is in my power I shall endeavor to straighten out existing complications. The President of the company has impressed upon me that no unfair or wrong thing is expected or desired by them. They ask only fair treatment and temperate action. I have been instructed to endeavor, by such honest means as I can employ, to so direct affairs as to place the company in a right position before our citizens. I desire to avoid widening existing breaches and to heal, not inflame, old sores. To this end, I offer no criticism as to past acts upon the part of any one. I only indicate that for the Contra Costa Company to submit any valuation not acceptable to you, would only add fuel to an already raging flame and give unfair and unprincipled men an opportunity to raise anew the cries of fraud, etc., upon which they so love to dwell.

UNFAIR PROPOSITION.

"With great respect for you, I therefore submit that, by the terms of the resolution which I have quoted, the possible acquisition of the Contra Costa plant is not to be submitted to the voters except the valuation placed upon it by the company shall not be deemed excessive by yourselves. That is you, not the voters are to be the sole judges of value. This value you have already determined to be a sum less than the company will consent to accept. It therefore seems unfair to the company to submit to you, as judges, a valuation, which your former action would compel you to reject.

"The time between the receipt of your letter and this date has been too short to permit discussions which might lead to mutual concessions and adjustments.

"The company, however, guided by intimations in the report of Citizens' Committee, composed of Mayor Olney, Mr. John L. Howard, Mr. R. H. Chamberlain, Mr. James P. Taylor and Mr. Sol Kahn, wherein they say:

"There is no reason, in case the price cannot be agreed upon, why it (the city) should not avail itself of the right of eminent domain and institute proceedings in the courts for the condemnation of this property for the use of the city. The city would have to pay a fair value to be assessed by a jury. If the case is properly presented on the part of the city we believe a fair verdict could be obtained doing justice to both the city and the company."

"And having also in mind the assertion in the recent address to voters, signed by Mayor Olney, Mr. Meese, Mr. James K. Moffitt, Mr. F. C. Turner, Mr. Cary Howard, Mr. Wallace and Mr. R. H. Chamberlain that they, with many of the citizens would prefer to acquire the Contra Costa plant, and distributing system provided it could be bought at a valuation not exorbitant, and also considering a recently published letter addressed by Mr. Chamberlain to Mr. Dingee, and an open letter addressed by Mr. Henry A. Butters to the citizens of Oakland, stands ready to join with the city in seeking the judgment of a court of competent jurisdiction as to the value of its plant by condemnation or any suitable proceeding.

"And it will, in advance, waive any question of superior use, as between the city and the company, thus removing the only possible legal objection to condemnation proceedings.

"Our courts are designed to settle just such contentions. It is the method suggested by our Mayor, and approved by some members of your body who have acted upon committees. With all legal objections waived in advance by the company, it should not take long to try the question. Isn't it the fair and just way to settle the question?"

"Action must be taken upon this offer within two weeks or it will be treated as rejected.

"W. H. CHICKERING."

MCGARY'S STATEMENT.

"I, Edward McGary, Secretary of the Contra Costa Water Company, hereby certify that a meeting of the Board of Directors of said company, duly called, was held at the office of the company in the city and county of San Francisco on the 3d day of January, 1905, at the hour of two p. m. at which said meeting a majority of the directors of said company was present and acted. A communication, in the words and figures above set forth, signed by W. H. Chickering, was read to the meeting and on motion duly made and seconded, it was unanimously resolved that the letter be accepted by the company as expressing its position and that Mr. Chickering be appointed the properly authorized agent of the company to present the foregoing reply to the resolution of the City Council of the City of Oakland, passed at its meeting held on the 29th day of December, 1904.

"In witness whereof, I have hereunto set my hand and the seal of said company, this 3d day of January, 1905.

"EDWARD MCGARY,"

Secretary of the Contra Costa Water Company.

TURNER'S FIGURES.

The following revised estimate of the cost of installing a distributing system for a municipal water supply was made to the City Council last night by City Engineer F. C. Turner:

"To the Honorable the Council of the City of Oakland, Gentlemen: In compliance with request I submit herewith a revised estimate for a distributing system for a water supply for the City of Oakland, based upon a price of

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"To fit into the plan proposed by the Bay Cities Water Company, however, a receiving reservoir at a low level will be required, as it will not be advisable to pump directly from their proposed wood stave pipe conduit. This is estimated to cost \$40,000 for construction and \$10,000 for extra land at pumping station, or \$50,000 total.

"As the present needs of the city are much less than the quantity proposed to be delivered by the Bay Cities Water Company's plan, it would seem that the necessity for metering the city generally could be deferred and reliance placed upon the usual method of inspection to keep down excessive waste. In my opinion \$10,000 would be ample for such inspection meters, making a reduction for this item of \$144,000.

"The estimates given herewith show in tabular form the original estimate, the revised estimate with receiving reservoir added, and the revised estimate with receiving reservoir added and meters reduced to \$10,000 the item of interest during construction being altered accordingly also.

"All this is to fit in with the plan proposed by the Bay Cities Water Company without change. If changed, in the future, to a gravity delivery into the distributing reservoir, about 200 feet higher in elevation than the receiving reservoir, this receiving reservoir and also the low service pumping station could be omitted, and, in my opinion, the amount thus saved (amounting to \$267,800 with 3 per cent added for interest during construction) would go a long way toward paying for the extra cost of the increased strength (and, possibly, size) of the pipe line for such gravity delivery. Nothing definite can be stated about this vast proposition of a gravity delivery, however, until detailed surveys and plans have been made which would require considerable time, but if it is possible to do so, it would be wise, in my opinion, to draw your contract in such a manner as to allow of such change being made if future information showed it to be for the best interests of the city.

"Inspection expenses of the Bay Cities Water Company's contract will also have to be provided for. I am of the opinion that \$20,000 will be a sufficient amount. Respectfully,

"F. C. TURNER, City Engineer."

ESTIMATED COST OF DISTRIBUTING SYSTEM FOR WATER SUPPLY FOR OAKLAND CITY.

	Revised estimate with receiving reservoir added and meters reduced to \$10,000	Revised estimate with receiving reservoir added and meters reduced to \$10,000
Pipe System	\$1,534,500	\$1,534,450
PUMPING STATIONS:		
Low service	210,000	210,000
High service	59,500	59,500
RESERVOIRS		
Low service	128,000	128,000
High service	20,000	20,000
Receiving	40,000	40,000
SHOPS, TOOLS AND EXTRAS		
Real Estate	60,000	70,000
Int. during construction, 3 per cent	65,000	62,600
	\$2,202,000	\$2,149,550
Reduction of \$4.95 per ton on \$20,212.24 tons is \$100,950 in round numbers.		
Reduction in meters		\$144,100
Increase for receiving reservoir		\$ 50,000

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Grave Trouble Foreseen.

It needs but little foresight to tell that when your stomach and liver are badly affected, a billiard ball of the system, such as you take the proper medicine for your disease, as Mrs. John A. Young of Clay, Cal., says: "I had neuritis of the liver and stomach, my heart was weakened, and I could not eat. I was very bad for a long time, but in Electric Bitters I found just what I needed, and they quickly relieved and cured me." Best medicine for weak women. Sold under the name of Dr. Williams' Pink Pills for Pale People, at all drug stores, Seventh and Broadway and Twelfth and Washington streets, at 50c a bottle.

Lot of Chiffoniers.

Solid oak, eight (\$8) dollars upwards at H. Schellhaas' corner store, Eleventh street.

5c, 10c and 15c Articles.

Worth three times the amount easily. Clinging out of the corner of glassware, H. Schellhaas' store, Eleventh street.

Why Not Use the Best?

Torlo glasses are more restful and soothing than the cheap Berlin Optical Co. 456 13th st.

Toric Glasses—the Latest.

A production of the optician's skill. CHINN-BERETTA Optical Co., 456 13th st.

BULBS BULBS BULBS

Now is the time to buy your Hyacinths, Tulips, Daffodils, etc. Cut flowers fresh every day. Funeral work made up at short notice.

PIEDMONT FLORAL & SEED CO.,

1217 Broadway, Phone Main 608.

CARTER'S LITTLE LIVER PILLS.

CURE SICK HEAD ACHE

Headache and relieve all the troubles attendant upon indigestion, constipation and nervousness. Pain in the side, etc. While their most remarkable success has been shown in curing

Headache, yet Carter's Little Liver Pills are equally valuable in constipation, curing and preventing this annoying complaint, while they also cure the liver and regulate the bowels. Even if they only cured

Headache they would be a boon to those who suffer from this distressing complaint, but fortunately they do much more than that. They cure the liver and regulate the bowels. Even if they only cured

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SEWER CRACKS OPEN FOR A SECOND TIME.

Much Mystery Surrounds the Breaking of Iron Pipe in East Fourteenth Street.

At last night's meeting of the City Council Superintendent of Streets Ott reported that the sewer in East Fourteenth street between Twenty-second and Twenty-third avenues had been broken for a distance of 74 lengths.

Previously the residents of the district protested against accepting the sewer because of alleged defects. There were nearly 400 feet of cracked sewer pipe on that occasion. The City agreed to pay for the new pipe which cost \$1000, and the E. B. & A. L. Stone Company agreed to relay the pipe.

The work was done under the supervision of William J. Ott, a sewer contractor, especially representing the City, and was, according to the evidence taken last night, done in a first-class workmanlike manner. Without any apparent cause the sewer cracked within the last few days and is in the same condition it was in before it was relaid.

Superintendent Ott's communication to the Council was as follows:

"Oakland, Cal., January 3, '05. "To the Honorable the City Council of the City of Oakland, Gentlemen: I desire to notify your honorable body that under the inspection of Mr. Wm. F. Healy, an experienced sewer man, the E. B. & A. L. Stone Company has relaid the 80-inch iron sewer in East Fourteenth street between Twenty-second and Twenty-third avenues. The work was completed last Friday morning. Today I sent my foreman of the sewer crew, together with an employee of the City Engineer's office, through the sewer, and he reports that seventy-four lengths of the pipe are broken. The breaks are similar to those in the pipe heretofore laid in this street.

"Yours very truly,

"CHAS. F. OTT,"

Supt. of Streets.

When the matter came up William Healy, who superintended the laying of the pipe, was called on to give his testimony. In answer to questions from Councilman Howard, Healy said: "I saw every piece of pipe which went into the sewer. It was 80-inch standard pipe, such as is used all over the United States. I tested every

piece and found it to be good. It was laid in a workmanlike manner. I have had fifteen years experience in the sewer laying business, and in my opinion it was a good job."

Councilman Elliott—"We were told before that wagons going over the sewer caused the cracking of the pipe. We have discovered that it was not wagons which broke the pipe. That is worth \$1000. We owe it to ourselves as Councilmen to find the cause of the break. We cannot keep experimenting."

City Engineer Turner did not have an explanation of the mysterious cracking. E. B. Stone was called on, but he had no theory.

Several persons suggested that it was the recent earthquakes that the theory was held in the highest esteem and the question of cause was allowed to go to the end.

To put an end to a discussion which promised to be interminable Councilman Howard moved that the matter be referred to the City Engineer to suggest a plan whereby the sewer might be made effective.

"I would suggest," said Mr. Turner, "that the sewer be jacketed with a hard cement. This would practically make it a concrete sewer. The cost would approximately be \$600."

Councilman Howard—"If Attorney Dow, representing the protestants, would agree to having this done it would be the easiest way out of the matter."

Attorney Dow—"I could not consent to anything like that. I have not consulted with my constituents."

Howard—"I will on Monday next move the dismissal of the protest if the Council adopts my report of City Engineer Howard."

The following resolution was introduced and unanimously adopted:

"Resolved, that the City Engineer be and it is hereby requested that he investigate the cause of the breaking of the sewer in East Fourteenth street and Twenty-second avenue between Fountainblau avenue and the railroad right of way be and the same is hereby postponed until Monday, January 9th, 1905, at 8:30 o'clock, in Council Chamber, City Hall, Oakland, Cal., and the City Engineer is hereby directed to submit an estimate of cost for jacketing with cement the thirty-inch vitrified iron pipe sewer found to be cracked and in unsatisfactory condition."

NEW PLAYS AT THE MACDONOUGH

"Ping Pong Parties" and "Four O'Clock Pink Teas" are not as interesting to society in New York, Newport, Saratoga, Lakeview, Tuxedo, Washington, Boston, Philadelphia, and Baltimore since the advent of the Black Patti Troubadours. The smart set in these social centers were completely

captivated by recent performances by these merry Troubadours, who are now on their eighth American tour, and it has given them the stamp of fashion. The swell specialties, whirlwind cakewalks, comic characters and exceptionally voiced soloists, so completely fascinated society, that its leaders have ordained that the correct thing for the theater is a Black Patti Troubadours' Young People's Matinee or a Black Patti Troubadours' evening box party.

This effort has been so extensively promulgated that even the high society white folks south of the Mason and Dixon line are almost as cordial in their greetings for their Troubadours as those of the north. In the Southland the Troubadours seem to give more pleasure and create more enthusiasm among its patrons—especially when singing of Southern refrains. The Troubadours will appear at the Macdonough Theater tonight, tomorrow and Friday night and are selling at reduced prices for this engagement. Already quite a demand has been made for all three nights and crowded houses will undoubtedly greet the Troubadours here as they always do.

"SALAMMBO."

Frederick Warde and Kathryn Kidder who are announced for next Saturday matinee and evening will be seen in Wagenhals' Kemper's stupendous scenic production of "Salammbo." The new is founded upon Flaubert's wonderful novel of that name and is the work of the popular dramatist Stanislaus Stange.

In the two leading characters of Matho and Salammbo, Mr. Stange has found ample scope for the robust, forceful methods of Mr. Warde, and the statuesque beauty and dramatic power of Miss Kidder.

Although there exists but little authentic history of ancient Carthage where the action of the play takes place, there is sufficient data to warrant the conclusion that the pomp, magnificence and extravagance of the ancient republic has never been equaled by any form of government since that time. With such a background, with such a tempestuously exciting story, nothing is wanting to make "Salammbo" the big new piece of the present theatrical season.

From the many elaborate productions

HOWARD SCORNS LADY.

SAYS MRS. SHEPARD WORKS FOR GOD AND HUMANITY BUT RAISES THE DEVIL.

In regard to the attack recently made by Mrs. Annie Burke Shepard upon Miss Anita Whitney, of the Associated Charities, Councilman Howard remarked at the Council meeting last night that Mrs. Shepard claimed to be working for God and humanity and was apparently raising the devil everywhere.

"I do not believe this body is justified in wasting time upon this matter. According to the report rendered by the Rev. C. R. Brown in regard to his investigation of the Associated Charities, the Wiley family whose cause Mrs. Shepard claims to espouse, were satisfactorily looked after by organization. Therefore I think the matter should be dropped by the Council."

It appears that a representative of the Central Labor Council desires to acquaint himself with the accounts of the expenditures of the Associated Charities, and Councilman Pendleton suggested that the members of the Council together with the delegate of the Labor Council, meet at the Associated Charities rooms next Saturday night to go over the accounts of the organization. A resolution to this effect was passed.

To get relief from indigestion, biliousness, constipation or torpid liver without disturbing the stomach or purging the bowels, take a few doses of Carter's Little Liver Pills, they will please you.

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